Indian and Northern Affairs Canada
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IMPACTS OF THE 1985 AMENDMENTS TO THE INDIAN ACT (BILL C-31)

3) BANDS AND COMMUNITIES STUDIES

Canada

IMPACTS OF THE 1985 AMENDMENTS TO THE *INDIAN ACT* (BILL C-31)

IMPACTS ON INDIAN BANDS, TRIBAL COUNCILS AND OFF-RESERVE COMMUNITIES

(MODULE 3)

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EXECUTIVE SUMMARY

Background

In June 1985, Parliament enacted a series of amendments to the *Indian Act,* contained in what has come to be known as Bill C-31. Bill C-31 required that a follow-up progress report on the implementation of the 1985 amendments be submitted to Parliament in 1987. The report submitted at that time noted that only a small number of individuals had returned to reserves and that it was too early to measure adequately the impacts of Bill C-31. The minister at the time promised that a detailed study would be undertaken and a new report presented to Parliament in 1990.

Purpose of the Report and Methodology

Terms of reference for the second study were established in summer 1989. The study was subdivided into four research modules. The study was undertaken in close consultation with representatives of the Chiefs' Committee on Citizenship (CCC) of the Assembly of First Nations (AFN), the Native Council of Canada (NCC) and the Native Women's Association of Canada (NWAC), who comprised a Joint Consultation Committee on the design, conduct of research, analysis and reporting for the study.

This report presents the results of Module 3, which identifies the impacts attributable to Bill C-31 at the band and community level. It presents a mix of qualitative and quantitative information on the experiences and perceptions of representatives of 137 bands, 11 tribal councils and 10 off-reserve communities. Ninety-two bands and all the tribal councils were interviewed using a telephone survey. In-depth case studies were conducted at the remaining 45 bands and at the off-reserve communities.

The bands, tribal councils and off-reserve communities participating in the study come from all regions of Canada, and include small, medium and large communities. Altogether, approximately 900 interviews were conducted, primarily with band chiefs, councillors, band managers, program officers, tribal council executive directors and individual status Indians. The topics examined ranged from the political, to the administrative, to the impacts of Bill C-31 on the lives of individuals living on reserves.

The study reports a wide range of experiences, opinions and perceptions related to Bill C-31, as expressed by the people interviewed.

Findings

In general, there were mixed views with respect to the impacts, with negative opinions being expressed more often.

Respondents are concerned about their reserve communities, traditional or "Indian" values, their standard of living and their way of life. For some, Bill C-31 threatens to destroy or damage these things. For others, the amendments are good because they have allowed people to return home.

Respondents are also concerned about their status and what Bill C-31 means for the future. While some disagreed with the intent of the amendments, others questioned why reinstatement was cut off at the "second generation."

In terms of programs, the frequency with which respondents reported impacts and the level of those impacts vary enormously. While some bands remain for all intents and purposes untouched by Bill C-31, others have experienced major changes -- some positive, some negative. This may reflect the demographic situation. The study found that over the last five years, Bill C-31 has caused an increase in total population of less than 20% for the majority (65%) of bands sampled.

Regarding on-reserve population, 84% (38) of the case study bands reported that Bill C-31 registrants represent less than 10% of their total population.

The study found that higher frequencies and levels of impact were generally reported by bands with relatively larger Bill C-31 populations, but not all bands with large Bill C-31 populations reported high levels of impact. Moreover, the frequency and level of impact were not always related to the number of registrants living on reserve; some impacts were reported to be generated by off-reserve registrants also.

The study found more consistency in terms of the types of impacts reported by band administrations. In particular, respondents reported confusion and misunderstanding regarding program eligibility, a lack of information about the bill, increased workload for band staff, including at some bands the need to hire more staff. Several respondents also anticipate future impacts in virtually all program areas, although not at the same level and not in all bands.

Housing, municipal-type services (water, sewers, electricity, access roads, etc.) and land together comprise the program area most frequently reported as impacted, and the area most severely impacted. As most programs are available only to status Indians living on reserve, the reported shortage of housing on some reserves may have had a mitigating effect on the impact of Bill C-31 on other programs.

Other areas of impact include post-secondary student support, kindergarten, elementary and secondary education, social assistance, child and family care, health care services, and economic development and employment programs.

Embodied in the 1985 amendments are new powers for bands in the areas of membership, residency and intoxicant control. Forty percent of the sample bands have membership rules in place and another 23% are in the process of preparing such rules. Respondents reported problems in administering their rules and some have not implemented them at all. By comparison, less than 20% have residency by-laws in place, some of which existed prior to Bill C-31. However, an equal number of bands are in the process of developing such by-laws. Few bands appear to have exercised their new powers with respect to intoxicant by-laws.

DEFINITIONS AND ABBREVIATIONS

The following definitions and abbreviations are used in this report:

Regular band member: long-term band member whose status was not affected by Bill C-31.

Bill C-31 registrant: a person whose status was registered or restored through Bill C-31.

Joint Consultation Committee: committee formed of representatives of the Chiefs' Committee on Citizenship, which is associated with the Assembly of First Nations, the Native Women's Association of Canada and the Native Council of Canada.

Joint Consultation Sub-Committee: working-level committee of the Joint Consultation Committee.

CCC: Chiefs' Committee on Citizenship.

AFN: Assembly of First Nations.

NWAC: Native Women's Association of Canada.

NCC: Native Council of Canada.

DIAND: Department of Indian Affairs and Northern Development.

1. INTRODUCTION

1.1 Purpose of the Impact Study

In June 1985, Parliament enacted a series of amendments to the *Indian Act*, known as Bill C-31. The main objectives of this bill were to remove discrimination on the basis of gender from the act, to restore Indian status and band membership rights to eligible persons (particularly women who had lost their status through marriage to non-Indians), and to enable bands to assume control over their membership.

Bill C-31 required that a follow-up progress report on the implementation of the 1985 amendments be submitted to Parliament in 1987. The Minister of Indian Affairs and Northern Development submitted the report in June 1987. The report noted that only a small number of individuals had returned to reserves and that it appeared to be too early to measure adequately the impacts of Bill C-31. Many aboriginal leaders expressed the concern that a large number of persons eligible for status under the Bill C-31 amendments were expected to return to reserves and that this would create significant pressures on available resources. Acknowledging the need for further assessment of the impacts of Bill C-31, the minister at the time promised that a detailed study would be undertaken and a new report would be presented to Parliament in 1990.

Terms of reference were established during the summer of 1989 for a study of the impacts of Bill C-31. This study is to serve as a basis for preparing the 1990 Ministerial Report to Parliament on the implementation of Bill C-31. The 1990 report will document and assess the effects of the 1985 amendments on First Nations communities and individuals. The scope of the study includes all affected sectors of the Department of Indian Affairs and Northern Development (DIAND) and other relevant federal programs.

In order to ensure that the study would reflect aboriginal concerns, a Joint Consultation Committee was formed with representatives from key national aboriginal institutions, including the Chiefs' Committee on Citizenship (CCC), which is associated with the Assembly of First Nations (AFN), the Native Women's Association of Canada (NWAC) and the Native Council of Canada (NCC). This consultation committee was involved in the design and planning of the study from its inception through implementation of the modules, data collection, analysis and reporting.

The study has been divided into four research modules:

Module 1: Aboriginal Hearings, to document personal accounts and grassroots information through hearings held at 19 centres across Canada;

Module 2: Survey of Registrants, that is, a survey of some 2,000 individuals registered as status Indians under Bill C-31;

Module 3: Band and Community Studies including on-site case studies of 45 on-reserve and 10 off-reserve communities and a telephone survey of 92 band and 11 tribal council officials;

Module 4: Information About Government Programs and Statistics, to present information about the impacts of Bill C-31 on federal government programs that affect status Indians and bands.

This report presents the results of Module 3.

1.2 Purpose of this Report

In accordance with the terms of reference (see Appendix 1), this report identifies the impacts attributable to Bill C-31 at the band and community level as expressed by the people interviewed. It presents a mix of qualitative and quantitative information on the perceptions and experiences of representatives of 137 bands and 11 tribal councils. Ninety-two bands and all the tribal councils were interviewed using a telephone survey. In-depth information on impacts in the remaining 45 bands was obtained from on-site case studies involving face-to-face interviews with band council representatives (chiefs, councillors, band managers and program administrators), elders and community residents, as well as a review of documents and other information provided by bands. The areas explored ranged from the political, to the administrative, to the lives of individual residents. Specific topics probed included Indian status, band membership and membership rules, residency by-laws and intoxicant by-laws, as well as all program areas typically available at reserves.

Case studies were also conducted at 10 high-impact aboriginal off-reserve communities (hereafter called "off-reserve communities"). Although these communities lie outside the jurisdiction of the Minister of Indian Affairs and Northern Development, a small selection was included in this study because, with the passage of Bill C-31, a significant proportion of the population at several of these communities is now status Indian or may be eligible to apply for status under Bill C-31.

2. STUDY DESIGN AND IMPLEMENTATION

2.1 Sampling

Case Study and Telephone Survey Bands: The sample of 135 bands for the telephone survey and case studies was drawn from the 593 bands recognized by the federal government as of December 31, 1988.

To ensure that each band had an equal chance of being selected, and that the sample would include bands with small, medium and large populations, the sampling frame was stratified by DIAND region and, within each region, by total band population, from smallest to largest. The number of bands selected from each region was weighted for two variables: the total status Indian population of each region as a percentage of the total status Indian population in Canada, and the total number of bands in each region as a percentage of the total number of bands in Canada.

The 135 bands were selected randomly and every third band selected was invited to participate as a case study for a total of 45 case study bands. The remaining 90 bands were asked to participate in the telephone survey.

The replacement criterion established for the study required a non-participating band to be replaced by the band closest in size within the region. Only one replacement per selection was allowed.

With a few exceptions (which are described in Appendix 2), the study conformed with this methodology. These exceptions brought the total sample to 48 case study bands. The sample for the telephone survey remained at 90.

Interviews were completed with 45 bands in the case studies and 92 bands in the telephone survey (2 extra bands were added when interviews with original and replacement bands were completed simultaneously). This means that nearly one-quarter (23%) of all bands in Canada participated in the study.

Tribal Councils: The sample of tribal councils was selected by the subcommittee from the 60 tribal councils that were funded by DIAND as of December 31, 1989. To obtain as wide a coverage as possible, one council was selected from each of Alberta, Saskatchewan, Quebec and Atlantic regions and two from each of B.C., Manitoba and Ontario regions (there are no tribal councils in the NWT or Yukon). The sample includes councils from both isolated and more "urban" areas. Replacements were selected using the same criteria.

Interviews were completed with 11 tribal councils. The extra tribal council was added by the subcommittee when it was discovered that one of the tribal councils in the sample had been in operation less than one year.

Off-Reserve Communities: It is not known how many off-reserve communities there are nor what their "typical" characteristics, if any, are. Therefore, the subcommittee, based on its collective knowledge, identified six criteria or problem sets as the basis for selection (see Appendix 2). The 10 communities selected met as many of these criteria as possible and included communities from each region of Canada except Yukon, and from both rural and remote areas.

Each of the 10 off-reserve communities selected was visited. No alternates were required.

2.2 Data Collection Tools

Case Studies: The case studies sought to assemble data on the impact of Bill C-31 on all aspects of band life, ranging from the political (policy and decision-making functions), to the operational aspects (program delivery), to the concerns of individuals living on the reserves. A total of 17 questionnaires were prepared that took between one and five days to administer on site, depending on the size of the on-reserve population. Two questionnaires were designed for political representatives and 13 for the band administration (covering the programs most frequently found at bands). A generic questionnaire based on the administration questionnaires was used for additional programs encountered only at some bands. In addition, there was a questionnaire for band members 18 years of age or older, living on reserve, but who are not part of the band administration and who are not C-31 registrants (for ease of writing, these persons are called "regular band members"); and another for persons 18 years of age or older, whose status has been registered or reinstated under Bill C-31, who live on reserve, and who are not part of the band administration ("Bill C-31 registrants").

The number of interviews conducted at a band varied depending on the size of the band, its administrative structure, the number and nature of programs delivered on reserve, and the number of band members living on-reserve. To the extent possible, regular band members and Bill C-31 respondents were selected randomly. Occasionally a chief or band manager suggested or required that certain persons be interviewed for various reasons; frequently these persons were well informed or had had experiences that were deemed relevant to the study. In all cases, participation was voluntary.

The questionnaires were pre-tested at two very different bands in September and October 1989. The revised questionnaires were approved by Statistics Canada, the Privacy Coordinator, and the departmental Access to Information and Privacy Secretariat.

Telephone Survey -- Bands: This questionnaire was designed to be administered in a 30-45 minute telephone call. It sought to collect information compatible with that collected in the case studies, but at an aggregate or general level. It was directed primarily to the band manager and addressed staffing and workload impacts related to Bill C-31, Bill C-31 impacts on specific programs and services, membership rules, residency by-laws and final comments.

The questionnaire was pre-tested at 7 bands in February 1990. The revised questionnaire was approved by Statistics Canada, the Privacy Coordinator, and the departmental Access to Information and Privacy group.

Telephone Survey -- Tribal Councils: A separate, but complementary questionnaire was designed for the executive directors of tribal councils. This questionnaire addressed the issues of tribal council staff number and workload, and the impacts of Bill C-31 on both the five advisory services for which councils are funded (band management, financial management, economic development, community planning and technical services) and on any other activities delivered to or carried out on behalf of affiliated bands. The questionnaire was pre-tested in February 1990.

Off-Reserve Communities: The original intent was to collect information at off-reserve communities parallel to that collected for bands. This proved unworkable because these communities are not eligible for the same funding and programming as bands. As well, the communities selected vary enormously. Therefore, instead of a specific questionnaire, the subcommittee developed a checklist and interview guide that could be adapted to the individual communities. To ensure a common approach to the interviews, the three subcommittee members involved in collecting the data conducted the first study together in February 1990.

2.3 Data Collection Methods

Apart from the case study pre-tests, all data were collected over the period from January to April 1990.

Case Studies: Data collection for the case studies was carried out under contract. The bands were clustered by geographic location into 18 groups of 2, 3 or 4 bands. A contract was entered into for each cluster. Each of the contractors attended a one-day orientation and training session.

Initial contact with each band was through a letter from the chairman of the Joint Consultation Committee to the chief of each selected band. This was followed up by telephone calls by DIAND and the contractor assigned to the band.

Upon completion of the research, each contractor submitted the draft case study report to the respective chief and band manager for review for factual error and approval.

Telephone Survey: The telephone survey was carried out under contract with a national firm. The band interviews were conducted using the firm's computer-assisted telephone interviewing capability. Telephone interviews with the tribal council respondents were conducted by two senior staff. In all cases, interviewers underwent a one-day orientation and training session. To ensure the integrity of the band survey, interviews with band managers were randomly selected and monitored at the survey centre.

As with the case studies, initial contact with each telephone survey band and tribal council was through a letter from the chairman of the Joint Consultation Committee to the chief and executive director of each selected band and tribal council. The interviewers then contacted the band and tribal council respondents directly.

Off-Reserve Communities: Given the short timeframes, the variability in the communities selected and the need for interviewers to be able to adapt the basic interview guide to a variety of situations, the field work was conducted by members of the subcommittee. The Quebec community study was conducted by a representative of the Quebec Native Women's Association.

A variety of persons in the communities were interviewed, including individuals who were seeking registration or who had been recently registered, representatives of service delivery, political, social or volunteer organizations, people in local or provincial government, and councillors and staff of nearby bands.

Confidentiality: A serious concern throughout the study has been confidentiality of information and the protection of the anonymity of respondents. The survey explored many sensitive and personal topics. There was a need to assure respondents that what they said could not be traced back to them. This is particularly so, for example, in those case study bands in which only one or two Bill C-31 registrants or regular band members were interviewed. To this end, data from the telephone survey are reported only in an aggregate manner; and in the case studies, all identifiers have been removed from the reports and each case study is referred to simply by a randomly selected number.

2.4 Analysis

The surveys collected data through open-ended questions, to which respondents answered in their own words, and through closed-ended questions, in which respondents chose from pre-selected response categories. Responses to closed-ended questions form the basis for the response rates and levels of impact recorded in the program impact areas. Responses to open-ended questions were categorized under a limited number of headings. In the text, the responses that most clearly state the issues within a category have been used to represent the theme under discussion.

Telephone survey bands were asked to define program areas that had been impacted by Bill C-31 and to elaborate on up to three areas that have been most impacted. This process quickly provides the frequency of impact as reported by bands and, to a more limited extent, the level of impact. Although a similar approach was originally included for the case studies, it was abandoned due to problems encountered during the pre-tests. Consequently, analysts determined the frequency with which impact is reported and the level of impact. In an attempt to overcome subjective analysis, this task was carried out independently by three persons with knowledge of both Bill C-31 and Indian bands. The frequencies and impact levels reported in section 3 of this report are a synthesis of this analysis.

Responses were also examined using seven variables: region, population, band access and latitude, the existence of membership rules and residency by-laws, affiliation with a tribal council and adherence to a treaty. Analysis of the information according to the existence of residency by-laws, affiliation with a tribal council and adherence to a treaty yielded no discernible variations.

Units of Analysis: As telephone survey and case study respondents were asked about impacts on the communities to which they belong, the unit of analysis for these surveys is the band. More specifically, it is the on-reserve community, rather than the band population as a whole, which in most cases resides both on and off reserve. The bands included in the surveys have diverse characteristics in terms of, for example, culture, history and language, population size, geographic location and program delivery. The one point that is clear is that there is no typical band. Bands in an area may be similar to each other, but there are no models.

The non-random sample of 11 tribal councils out of a possible 60 is too small to allow for any extrapolation to other tribal councils. The same applies to the off-reserve communities. Because it is not known how representative the sample is, the off-reserve study illustrates problems associated with Bill C-31 in some communities, but cannot address the incidence of these problems.

Analytical Constraints: All data collection techniques have certain constraints. Participation is always at the discretion of respondents, which introduces an element of self-selection or self-elimination.

Although it was recognized from the beginning that much of the information collected would be qualitative (that is, respondents' opinions and perceptions), attempts were made to collect some quantitative data. Unfortunately, bands were often unable to provide the information requested. The data that were collected are presented in the appendices.

With little quantifiable data available, the report relies heavily on the opinions and perceptions of respondents. Given the subjective nature of this material, analysis and conclusions based on this type of data have some limitations and general inferences have to be made with caution.

Attribution also poses problems. Other changes that occurred over the same period may have altered the impacts experienced by the communities. For example, some bands that recorded increases in staff numbers and workloads also assumed responsibility for program delivery simultaneously with the implementation of Bill C-31.

To reduce these analytical constraints and this threat to validity, multiple lines of evidence were used to capture the range and intensity of opinions and allow cross-examination of the information. Furthermore, the qualitative information was collected from a broad base of respondents, the majority of whom have extensive knowledge and experience.

2.5 Respondents

Approximately 900 interviews were conducted covering the 137 bands, 11 tribal councils and 10 off-reserve communities in the study.

Of the 92 telephone survey bands, 65 (71%) respondents were band managers, 14 (15%) were chiefs and 13 (14%) were other band representatives. On average, respondents had been in their position for more than 5 years, with the range extending from one month to 29 years. Even those in their position a relatively short time may have had other relevant experience.

At the 45 case study bands, 703 interviews were conducted. Of these, 430 (61%) were with band representatives (chiefs, councillors, band managers and program managers); 143 (20%) were with regular band members; 98 (14%) with Bill C-31 registrants; and 32 (5%) were with "others" e.g. school principals and nurses. The number of questionnaires delivered is significantly higher because, in several instances, one respondent dealt with more than one topic.

For the tribal councils, 10 interviews were conducted with executive directors and one with a senior administrator. Respondents had been in their positions between one and 10 years, with the average being almost 4 years. Tribal councils had existed between one and 18 years, with the average at almost 10 years.

At the 10 off-reserve communities, approximately 100 interviews were conducted, including interviews with adjacent or nearby bands.

In virtually all areas, telephone survey bands reported a higher frequency of impact than case study bands; in some instances the difference was as great as 25%. Further, they generally reported fewer positive impacts. This may be due to variations in the sample or to variations in the data collection methods used.

For further information on the design of the study, the reader is referred to Appendix 2. Appendix 3 provides a profile of the bands, tribal councils and off-reserve communities that participated in the study.

3. FINDINGS

3.1 Potential Impacts

This study set out to determine the impact that Bill C-31 has had to date at the band level. One of the messages most frequently encountered is that the major impact of Bill C-31 at the reserve level has probably not yet been felt. Respondents anticipate future impacts in virtually all program areas, although obviously not at the same level and not at all bands.

A wide range of reasons is suggested as to why impacts may still be incurred. Among them are the following: not all persons eligible for reinstatement have applied or been registered; not all registrants who may eventually wish to move to the reserve have done so; some registrants who wish to move to the reserve are unable to because there is no housing available for them; and eligible offspring of registrants may increase band membership numbers. In addition, some bands reported substantial problems in servicing regular band members; they have not been able to meet demands from Bill C-31 registrants.

Many bands expressed serious concerns about what anticipated future impacts might be. Again, the concerns extend to virtually all program areas, from housing, to education, to employment and social services.

3.2 Demographic Impacts

During the field work, demographic data (other than that provided by DIAND) were collected only for the case study bands. Descriptive material relating to all sample bands and based on DIAND sources is presented in Appendix 3. Most of the following analysis applies to case study bands only.

Case study bands were asked to provide their total band membership, the number living on reserve, the number of Bill C-31 registrants in the band's membership, the number of them living on reserve, the number who lived on reserve at the time of registration, and the number who moved to reserve following registration. All but four bands provided complete information.

- **28 (62%) case study bands reported figures that differ from DIAND's data by more than (plus or minus) 10% in one or more categories.**

Total populations: Four bands reported figures that differ by 10% or more from those provided by DIAND; only one of these bands reported a Bill C-31 population significantly different from DIAND's Bill C-31 population figures.

On-Reserve and On-Crown land populations: 16 bands reported figures that differ by 10% or more from those provided by DIAND; in 5 cases, the variation may be due to the inclusion or exclusion of members on Crown land. Although that does not explain the difference at one band where DIAND shows 1 on reserve and 161 on Crown land and the band reports 250 on reserve. Of the bands with no members living on Crown land, 3 reported variations of -47%, 37%, and 70%.

Bill C-31 populations: Two bands that, according to DIAND, have Bill C-31 populations reported zero registrants in the study; 1 band did not know the number of its Bill C-31 population; 18 bands reported a registrant population that differed by 10% or more from DIAND figures. Of these, 8 reported more registrants than DIAND and 11 reported fewer. Of these 11, 1 reported 92% fewer, another 82% fewer, and a third 70% fewer.

Various factors may account for these variations. DIAND's data are for March 1990, whereas bands' data vary from fall 1989 to March 1990. Some bands could provide only estimates. Band populations are fluid, especially regarding movement on and off reserve or between reserves. Some bands that keep their own membership records may include on their lists persons who are not eligible for inclusion on DIAND's list, for example, the non-eligible spouses of Bill C-31 registrants. Some bands may not recognize as members all the Bill C-31 registrants DIAND has "allocated" to that band. Some births may not be reported to DIAND on a timely basis; and there may be a time lag between when DIAND enters its data and when DIAND advises the bands so that they can update their records.

- **As of March 1990, Bill C-31 registrants represented between 0% and 19% of the total band population, at 65% of the 137 sample bands, and 20% or more at the remaining 35% of bands (see Table 3.1).**

In comparison, the distribution of all bands in Canada shows that Bill C-31 registrants represent between 0% and 19% of the total population at 71% of the bands, and 20% or more at the remaining 29% of bands.

Table 3.1

Distribution of Study Bands by
Bill C-31 Registrants as a Percentage
of the Total Population, by Band

Percentage of Registrants	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
0%	3	2	1	2	2	2	20	3
1-9%	46	33	16	36	30	33	223	38
10-19%	41	30	13	29	28	31	175	30
20-29%	23	17	6	13	17	18	78	13
>29%	24	18	9	20	15	16	97	16
TOTAL:	137	100	45	100	92	100	593*	100

Source: DIAND

*Note: Total number of bands as of December 31, 1988.

The sample includes a higher percentage of the high-impact bands (in terms of total Bill C-31 population) than the distribution of the total bands in Canada.

- **At 38 case study bands, Bill C-31 registrants living on reserve represent between 0% and 10% of the total band population (see Table 3.2).**

- **Based on data provided by the 45 case study bands, Bill C-31 registrants living on reserve represent 10% or more of the total Bill C-31 population at 29 bands and 30% or more at 19 bands (see Table 3.3).**

Using DIAND data for the total Bill C-31 population, the respective figures are 28 bands (10% or more) and 15 bands (30% or more).

- **The 45 case study bands reported a total of approximately 1,175 Bill C-31 registrants currently living on reserve; of these, 700 have moved to reserve since registration and 475 were living on reserve at the time of registration.**

As a percentage, slightly more bands report more Bill C-31 registrants living at reserve at the time of registration than moving to the reserve after registration.

3.3 General Concerns

This section captures the views of respondents at a general level. The comments have been selected to represent the range of views found. The exact frequency with which these comments occurred is not recorded for two reasons: first, most of these topics were not pursued rigorously through specific questionnaires; second, the comments include those of individuals as well as band officials, and therefore may not be representative of the band as a whole. They do, however, generally give a sense of the types of issues and impacts at the community level, and the feelings of band members living on reserve. Overall, these comments show a wide diversity of opinion that does not seem to be related to the location, age or gender of respondents.

3.3.1 Reactions to Bill C-31 as a Whole

"When does Bill C-31 stop being called Bill C-31? When do you start becoming an Indian?"

Table 3.2

Distribution of Case Study Bands by
Bill C-31 Registrants On Reserve as a
Percentage of the Total Population

	Number of Case Study Bands*
Don't Know	1
0%	8
1%-9%	30
10%-19%	4
>19%	2
Range:	0%-20%

*Source: Case Studies

Table 3.3

Distribution of Case Study Bands by
Bill C-31 Registrants On Reserve as a
Percentage of the Total Bill C-31 Population

Percentage of On-Reserve Registrants	Number of Case Study Bands*	Number of Case Study Bands**
Don't Know	1	2
None On reserve	3	3
0%	5	4
1%-9%	8	7
10%-19%	11	9
20%-29%	2	1
>29%	15	19
Range:	0-65%	0-65%

Source: * Registrants: Case studies; total population: DIAND
** Registrants and total population: case studies

- **The level of knowledge regarding Bill C-31 varies between bands and among respondents.**

While many respondents and bands demonstrated a lot of experience with Bill C-31, some respondents appear to have little knowledge of the amendments. For example: "Right now Bill C-31 is a big question. The situation is still new and we don't know what all the problems are." "There is not a very high level of awareness of Bill C-31 among most of the on-reserve population."

- **Mixed views were found with respect to Bill C-31: negative reactions are found more frequently than positive ones, particularly in the telephone survey; strongly opposing views may occur within single communities.**

Negative reactions include the following: Bill C-31 is seen as "a scheme to assimilate the Indian people" through large numbers of non-Indians moving to the reserve. "My fami'y is totally against C-31 We don't know about Bill C-31. Chief-in-council should let us know. We are kept in the dark about it. No one came to see me about bringing it in." At most interviews at

that band there was an undercurrent of resentment toward Bill C-31 registrants moving to the reserve. Part of the resentment was directed toward DIAND for not seeking more participation from the band in the development of Bill C-31. The department was accused of not taking into account how the legislation would increase social problems in the community.

Ten bands observed that Bill C-31 was generally imposed on native people and communities without their being allowed input, although they are the ones who must now deal with the problems: "There should have been more work before [Bill C-31] was implemented. It should have been more in conjunction with native leaders. There should have been homes even before people moved back." One band reported that it has refused all Bill C-31 funding since it "resents DIAND making decisions in this area."

Positive reactions include the following: Bill C-31 "was like wining a lottery: registrants now have many additional free services like dental care, glasses, access to housing." "There is a general sense that an unfair, unjust system has been largely dismantled." "We are looking forward to it -- they're our people. We are hopeful -- the people moving back are pretty well educated." One band reports that its tribal council sees Bill C-31 as a positive step in the process of reaching its goal of self-government. The off-reserve study also reported some positive benefits. For example, some respondents who, for a variety of reasons, had thought they were not status Indians, discovered on applying for reinstatement under Bill C-31 that they had always been registered as status Indian, or had been entitled to be registered. Another respondent expressed gratitude because reinstatement had given her health benefits that she desperately needed in view of her ill health.

Some respondents presented a more ambivalent attitude and others have changed their opinions based on experience. In some instances this is a move from initial opposition to more acceptance now, in others, the reverse. For example, after five years' experience with the bill, one band reports being "at the end of its rope." The community resents being "left to straighten out a mess created by the government, a mess that the government appears to have no intention of resolving."

Bill C-31 aimed to eliminate discrimination in the *Indian Act*. Concern was voiced that in eliminating some forms of discrimination, the amendments introduced others. One argument runs as follows: Status used to guarantee the right

to membership in a band and the concomitant rights to vote for chief and council, to run for public office on reserve and to receive all benefits accorded other band members. While these rights still exist for those granted status under Bill C-31, they are not necessarily guaranteed as they are dependent on membership and residency requirements that may now be decided by bands. Some bands have not yet made those decisions; therefore, it is argued, Bill C-31 registrants associated with those bands are not in a position to exercise all their rights.

The off-reserve study highlighted a different issue related to voting rights: where a mixed Bill C-31 registrant/non-status family moves to a reserve, only the registrant acquires the right to vote in band elections. Other members of the family forfeit their right to vote in local elections.

3.3.2 Indian Status

Bill C-31 covers registration or reinstatement of those who lost status through the discriminatory provisions or the enfranchisement provisions of the old *Indian Act*. Registrants' children, referred to as the first generation, will also gain status. However, the government decided to cut reinstatement off at the second-generation level. In order for a second-generation child to have status, both parents must be status under section 6(1) or 6(2) or at least one parent must be status under section 6(1).[1]

- **Concerns were voiced about who may and who may not attain status.**

The study noted concern over the fate of future generations. Parents registered under Bill C-31, particularly those who registered primarily to secure rights for their children, are disappointed when they learn that their children may not be automatically eligible for reinstatement and for the services and benefits associated with status. As these children reach adulthood, they may also have to move off reserve, leaving their families and the community in which they were raised. This was considered unfair. Some characteristic comments were: "[Bill C-31] did not go far enough. Why cannot the grandchildren of new registrants become status Indians?" And

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[1] Adapted from Native Women's Association of Canada, Guide to Bill C-31, an explanation of the 1985 amendments to the Indian Act.

cutting status off after 3 generations will have the effect of gradually "eliminating Indians altogether." The "second-generation cut-off" is also reported as presenting bands with difficult decisions; for example, should a band grant membership to children living on reserve whose mother and mother's mother are registered under Bill C-31, but who themselves are not entitled to status.

One respondent wondered if a second "Bill C-31" would not need to be passed in the future, their children, in the interim, being caught in the no-man's land that they themselves were in until being reinstated. Another remarked that Bill C-31 becomes a "sunset act. Future generations will be questionable as to whether they are authentic Indians or not."

Another concern was that membership may be extended to persons who are not status Indians: "Some non-native children can get in under the new rules and shouldn't be allowed to." Another band disagreed with allowing status to "whites adopted by natives."

Residence in the United States was cited as a problem for some registrants and their bands: "The immigration laws seem to have an effect. For example, a C-31 woman with three children moved back here from the States. The children's status hasn't been decided -- the band council has to accept them. In the meantime, the children, who are over 18 years old, aren't eligible to get any services or benefits."

- **Complaints were expressed about the registration process.**

The application process is reported to be costly, time-consuming and difficult to satisfy. Applicants reported difficulties finding out about the reinstatement process, completing the forms and obtaining the required documentation. For example, those who were born in isolated areas or out on the land may not have been registered or correctly registered. In some cases the churches where the records were kept have burned down, in others the missionaries who entered the records often guessed at dates or changed Indian names to Christian names. Other respondents complained about the department. They claimed it does not tell people why they do not qualify for status or what is missing from their applications, nor does it help to track down family histories. There is little regional office involvement in the process, and many claimed that Ottawa is too far away and too expensive to contact.

Some who tried to find out about their rights and the registration process by reading the *Indian Act* reported that the sections dealing with membership are difficult to understand: even registrants who are university-educated and familiar with government process and with the act itself reported confusion.

- **Concerns were expressed regarding band of affiliation for new registrants.**

Band of affiliation is vitally important to registrants. It influences whether they can live on reserve should they so wish, and thereby receive the benefits and programs available only to on-reserve residents. It influences their ability to become part of a band community and to exercise the political rights attached to status. If, for example, a band controls its own membership rules and does not recognize the registrant as a member, even though DIAND has affiliated that registrant with that band, or if there is a long waiting list for housing, and if the band policy is "first come, first served, based on need," then the registrant may not be able to move to the reserve. And if only those residents on reserve are eligible to vote in elections or run for office, then the registrant is denied those rights.

Of particular concern to some bands and registrants is the government's policy of affiliating registrants with those bands to which DIAND records say they are ancestrally tied. Registrants may have no recent relationship or close ties with those bands, perhaps because they have resided away from the community, in some cases for several generations, and may have no intention of uprooting to a different part of the country. In these cases, DIAND's policy for affiliation is felt to be inappropriate. The registrants would much prefer to be affiliated with a band closer to their domicile. Another complication is reported where the spouses in a marriage are affiliated by DIAND with different bands.

From the bands' perspective, they see people they have never heard of, and whom they may not wish to have living in their community, being reinstated to their list. For example, "DIAND automatically [adds] children of women who have been reinstated without consulting the band administrator." Bands also feel obliged to respond to requests from registrants who are not affiliated with their band but who live close by. They receive requests for help in completing forms for status, for genealogical research, and to obtain transfers between bands, and they receive requests for services such as housing.

- **Some registrants report they would prefer to form new bands.**

This is happening in three of the communities included in the off-reserve study. Having elected a chief and councillors, their aim now is to start negotiations for a land base. Those involved in forming new bands noted that while they live off reserve their potential members cannot gain access to the full range of services available to status Indians on reserve. Further, where responsibility for program delivery has been devolved to the band level, the bands are making decisions on the availability of services and benefits to off-reserve members. Section 17 of the *Indian Act* allows for the formation of new bands; however, where a new band is to be established from an existing band or part thereof, "such portion of the reserve lands and funds of the existing band as the minister determines, shall be held for the use and benefit of the new band." Existing bands may be unwilling to support the formation of new bands unless they are assured that their lands and financial resources will not be affected. One of the three groups wishing to form a new band reported that it has been informed that there is not enough money to recognize new bands.

- **The study found that a new membership regime may conflict with the traditional view.**

"Old members do not understand Bill C-31. It is very difficult for us to try to explain it to them. They feel it should be up to the band as to who becomes a member."

"We have our own code, which is different than DIAND. This causes a problem when we reject a person that DIAND wants us to accept."

3.3.3 Social and Cultural Concerns

Although no specific questions were asked to determine the types and extent of social impacts, the surveys provide a wealth of comments.

- **Mixed views were expressed. Negative views are reported slightly more frequently than positive opinions, particularly in the telephone survey. Strongly opposing views may occur within single communities.**

Negative comments tend to focus on the erosion of the native lifestyle. Bands are typically small communities with an average on-reserve population of 470. Families are well-known to each other and often interrelated by marriage. Now, with Bill C-31, respondents report: "It has become harder for people in the community to get to know each other." "Bill C-31 has effectively disrupted community life because it has created rifts amongst family members and amongst community members." "There has been an inordinate amount of energy, time, and money spent with little regard for the social, emotional, and psychological impact; consequently, there is bigotry and fighting because of the misunderstanding." Bill C-31 "has segregated and labelled people: those who were living here before against those returning."

There are reports of name calling of children from mixed families, of Bill C-31 registrants being shunned in the community and discouraged from accessing services available to band members, of registrants feeling unwelcome and isolated in the community, and of registrants not being allowed on the reserve.

Residents at one reserve show little tolerance for and acceptance of those women who consciously gave up their treaty rights by marrying outside and leaving their community. To them, to give up one's treaty status is to demonstrate disrespect for family, community and heritage.

Many negative comments appear to be fears for the future, rather than experiences to date. For example, there are fears that Bill C-31 will lead to the destruction of the reserve; that "Bill C-31 registrants would take over, or at least try to take over control of band council, and thus regular band members would lose their voice in what goes on at the reserve;" that the native lifestyle will be assimilated into "white" culture as more registrants and their non-native families move to the reserve.

Positive comments focus on the theme that Bill C-31 is good because it has allowed people to return home. "Bill C-31 people haven't been treated fairly by the government. They were forced to sign away their rights. We would like to get them back. We try to look after them." Many regular band members agreed "it is good to see former residents who had been deprived of their status back on the list and back in the community." "This is where they belong." "It is good that it is making our community larger." Some positive comments carry

provisos: "if the registrants are responsible," "if housing were not such a problem" and "more funding is still needed."

Bill C-31 registrants also reported that they have made the right decision, that registration has been good for them and will benefit their families in the long term, especially regarding education.

Some respondents are more ambivalent: "It's not that different." Others are changing their minds based on experience: Bill C-31 has "made me more aware of the discrimination against women."

- **The study found that some bands and band members perceive Bill C-31 registrants to be "different": typically more aggressive, less patient, more outspoken and demanding with higher expectations.**

For example, "Socially, C-31 registrants moving to the band have made a difference to the fabric of the community. Many have never been on a reserve before. Some want to affect change and expectations are very high. In many cases, they have not been able to articulate their demands well, but band staff feel they have a demanding attitude just the same. Some C-31s were petitioning to have the health services and education coordinators removed from their jobs. But people on the reserve would not sign the petition."

Yet others think the Bill C-31 registrants are no different from regular band members.

- **The study found that acceptance of Bill C-31 registrants by a band may depend on whether the registrants resided on-reserve prior to registration under Bill C-31, whether they maintained contact with the band or have relatives living on reserve.**

"Being an Indian is a state of mind -- its cultural. Living off the reserve for many years, they lose this. They come back to the reserve different. They don't fully fit in with the community." Some respondents referred to registrants as "outsiders": registrants who have lived all their lives on the reserve were generally accepted and no one questioned their right to a place in the community. "The fear is of those who may return." "C-31s who move to the reserve seem to have an easier time adjusting to and being accepted into the community

if their extended family still lives on reserve" or if they have kept in touch with the reserve through relatives.

Only one respondent cited the opposite view: "All of the C-31 returnees are related to one of the regular band members. This raises some perception of favouritism."

- **Mixed concerns were voiced over the ability of non-native relatives to adjust to reserve life and be accepted in the community.**

In its most extreme form, this concern is voiced as a fear that the native culture and lifestyle will be replaced, altered or even destroyed by "white" or "city" values. However, the opposite view can also be found. For example: "Indian women who marry whites are very helpful to us when they come back -- and so are their husbands."

3.3.4 Political Concerns

- **To date, Bill C-31 is reported to have had only a minor impact on the political activities of survey bands.**

There are bands where the number of councillors has increased either entirely or in part because of Bill C-31; and there are bands where the political process has changed due to Bill C-31. For example, the band council may meet more frequently. For the most part, however, few changes are reported. Further, the study found that very few Bill C-31 registrants have become actively involved in band politics to date (although there are bands where this has occurred and others where they are part of the band bureaucracy).

A more pressing issue for some bands is what are or should be the rights of registrants: should they, for example, be allowed to run for chief? "Some regular band members feel threatened by the numbers and vocalism of the C-31 registrants returning to the band. They are returning in sufficient numbers that they could influence the political process, but ... they lack an understanding of the band's history and way of life."

3.3.5 Legal Concerns

Five bands reported legal impacts related to Bill C-31. As there is no common thread between the cases, some are described briefly.

A will that was made shortly before Bill C-31 came into effect, involving at the time an enfranchised person, has become an issue. This enfranchised person has become a re-instated band member and is contesting the will, and questioning land ownership through inheritance. The will remains unsettled.

A legal suit has developed over rights to distributions. The band had its first distribution in 1986 when some Bill C-31 registrants had not yet formally gained status. The suit was settled out of court. The band adopted a policy whereby all Bill C-31 registrants became entitled to the distributions.

The game wardens were not informed about the changes brought about by Bill C-31. As a result, a number of registrant members have received tickets and been obliged to defend their status before the courts.

One band is involved in two law suits and a possible third. The first sets the band against Bill C-31: the band wants the freedom to control its own membership. This litigation has sparked division within the band, which has led to the second suit -- by Bill C-31 registrants against the band and the government concerning the slowness of the reinstatement process. And the threat of a third suit by band members who have left the band since the amendments were passed and have not received payment because it was not clear how many members belonged to the band.

Also, as noted earlier, fears of litigation have caused at least two bands to delay developing membership rules and residency by-laws.

A totally different type of legal impact was highlighted in the off-reserve study. In the 1960s, the Alberta government, in an attempt to improve the social conditions of the province's Métis people, passed the Alberta *Métis Betterment Act*. Under the act, the province set aside lands to be held by community corporations for the use and benefit of the Métis people. The Act determines the status of the land and the powers and responsibilities of the local Métis government; it also defines who is and who is not a Métis for the purposes of the act. Under the act, a person must fit the definition of Métis in order to live on settlement lands and benefit from programs and services. Expressly excluded are persons who have Indian status under the *Indian Act*. When Bill C-31 was enacted, many Métis saw the opportunity to grasp the Indian status that had been denied them in the past -- without realizing the

legal implications. They do not wish to move from their home settlements, but they are no longer entitled to live on Métis settlement lands or receive services from the Métis settlement council because they are no longer legally Métis. To date, no-one has been forced out of the communities, but several questions remain unanswered: What happens to status families currently living on Metis lands? What about registered parents whose children are not eligible for status? If people are asked to leave, where will the money come from to buy out their improvements to the land? If they stay, who will foot the bill for services? A new *Métis Betterment Act* is currently under negotiation.

3.3.6 Economic Development Concerns

- **Negative and positive views were reported, in fairly similar proportions, and with both present in some communities.**

Most negative statements focused on jobs. Bill C-31 registrants were seen as a threat to the few jobs available on the reserve: "They will take jobs from reserve members." "[Regular] band members should get jobs first, before outsiders." Other respondents voiced the fear that Bill C-31 registrants moving to the reserve could mean changes to the traditional economy and standard of living, or could affect the reserve land base.

Some respondents questioned whether many Bill C-31 registrants would want to move to the reserve and whether they would stay, once they had moved. Why, they ask, would they leave established homes and jobs and the amenities that city life offers? "There's nothing here [for them], no work."

Positive comments can be summarized as follows: some registrants are better educated and have better job skills than regular band members, they have more experience in the workplace, and are more self-reliant. Therefore, although their move to the reserve could be socially disruptive, it would benefit the reserve. In the words of one band, "Bill C-31 people have had a positive impact. A lot of them are quite well educated, are holding down permanent jobs and make a positive input into projects Some C-31 people have a lot to offer. They have lived off the reserve and struggled for a living. They have a different outlook on life. They bring different trades and ideas, and contacts with people off the reserve. They have a positive effect. They will make the community stronger."

The remainder of the report discusses impacts on government programs at the band level.

3.4 Common Program Impacts

Three impacts relating to program eligibility, dissemination of information and staffing, are common to several program areas.

3.4.1 Program Eligibility and Delivery

- **The study reported confusion and misunderstanding regarding eligibility for benefits and responsibility for delivery of programs.**

Confusion and misunderstanding are manifested in various ways.

Band administrations may not be fully aware of who is eligible for services. Four bands volunteered that they are not always up-to-date on the substantial administrative changes brought about by Bill C-31 in terms of program guidelines and eligibility requirements, changes in funding formulae, and a preponderance of new forms; some stated a need for training and briefing. The following illustrates the nature of misunderstandings reported: a resident lives "on the reserve now with a white man. We're not married so I never lost my status. The band manager suggested that we should get married so that we could get a house under Bill C-31." As a marriage now would not cause the band member to lose her status, she therefore cannot now become eligible to benefit from supplementary funding, even though the band manager thought she could.

In other cases, although band officials may have (good) knowledge of Bill C-31, the general membership does not, in part because there are few or no Bill C-31 registrants associated with the band and few if any living on reserve.

Another case illustrates a different problem: "I lived off the reserve for nine years. I married a non-Indian **after** Bill C-31 and we moved back to a new house on the reserve in 1988. I had waited three or four years, but a lot of people thought I was C-31 and complained about me getting a house before them."[emphasis added]

Bill C-31 registrants themselves do not always know which benefits and services they are eligible for. The off-reserve study in particular reported that perceptions of some Bill C-31 registrants regarding their rights and benefits do not match reality.

- **The study found that lack of knowledge causes problems for bands and resentment among band members.**

Housing provides an excellent example. Some registrants applied for status on the mistaken belief that "there is a house somewhere out there with their name on it." When they get status, they face a rude awakening: they discover that housing is available only on reserve, it may not be free, and there are often long waiting lists. When they apply to the nearest band for housing, they become angry because they feel the band is being less than honest with them, when in fact the band is usually describing the current situation. The bands in their turn become frustrated.

The off-reserve reports commented that keeping children in school to grade 12 is a challenge. To meet the challenge, some bands have developed incentive programs such as prizes for higher grades. These incentives, however, are usually only available to status Indians residing on reserve. Even though they may attend the same schools, status Indians living off reserve are not eligible for these incentives. This creates some resentment. At the same time, under the *Métis Settlement Act*, status children living in an Alberta Métis settlement may no longer be eligible for the incentives created by that community.

Some respondents questioned the rights of "non-native men who live on reserve with C-31 registrant women" with regard to programs. "Some of these non-natives expect too much from this reserve and many feel that they do not deserve the same benefits as regular band members."

3.4.2 Dissemination of Information

- **Respondents claim that misunderstandings arise because of a lack of information regarding individuals' rights and benefits once status is granted.**

In their view, the federal government has not provided this kind of information to new registrants or to those seeking status. Many aboriginal organizations across the country such as native women's associations, native courtworkers, friendship centres, as well as bands are trying to fill the gap. However, these organizations are not being funded for these additional activities. Many do not have the staff and some themselves do not know the answers.

3.4.3 Staffing and Workloads

"It has made everyone work harder and we may never catch up."

- **While less than one-quarter (32 bands, 23%) of the 137 sample bands reported that over the last five years they have hired additional staff due to Bill C-31, nearly two-thirds (82 bands, 60%) reported increased workloads.**

Case study bands were asked to provide staff numbers for 1985 and 1989 and to account for any change. Of the 35 that supplied figures for both years, 22 showed an increase, one showed a decrease (not due to Bill C-31) and 12 showed no change. Of the 22 bands reporting an increase, six stated that it was due to Bill C-31 and 16 attributed it to other reasons, primarily the assumption of additional program delivery responsibilities from DIAND and an increase in the birthrate. When asked if there had been a change in staff due to Bill C-31, 34 (76%) bands responded no, seven (16%) responded yes, and three did not respond; one small band had no staff. The seven changes in staff attributed to Bill C-31 were all increases.

Twenty-five (56%) of the 45 case study bands reported an increase in workload that was due to Bill C-31; two bands reported an increase and one band reported a decrease due to factors other than Bill C-31; 11 reported no change; and seven did not comment.

Twenty-five (27%) of the 92 telephone survey bands reported staff increases due to Bill C-31. Seven bands did not specify the number, simply that there had been an increase; 10 bands reported an increase of one or two persons, four bands an increase of three or four persons, one band an increase of eight persons and one band an increase of 20 persons. One band stated that it required twice the number of staff; another three times the number. The most commonly reported areas of increase are administration (nine bands), membership (seven bands), clerical (four bands), social assistance, housing and finance (three bands each).

Fifty-five (60%) telephone survey bands reported increases in workloads due to Bill C-31, with some staff working at maximum capacity. Eleven bands reported increases in each of education and membership administration, nine bands in administration generally, eight bands in housing, four bands in social development, three bands in clerical functions, three in the medical field and one in the legal area.

In addition, 19 (21%) telephone survey bands reported converting some positions from part-time to full-time. Of those reporting specific numbers, eight had converted only one position, four had converted two or three positions and two had converted four or five positions. The areas in which conversion had taken place include child and family care (three bands), clerical and membership administration (two bands in each), and accounting, homemaker services, education and band management (one band in each).

Nine tribal councils reported no change in staff number over the past five years due to Bill C-31; two mentioned that they need more staff. Seven tribal councils reported increases in workload due to Bill C-31, most frequently in the areas of health and education. The reasons for the increases are: increased paperwork, more demanding band members, dramatic increases in band size, members now living in a vast territory both on and off reserve, increased bilingual burden (one tribal council) and increased workload relating to housing inspection.

The three most frequently mentioned causes for increases in workload: are responding to requests for information, increases in caseloads, in some cases by up to 100%, and increases in administrative paperwork. Obviously, an increase in caseload brings with it a concomitant increase in administration. Also mentioned, however, are extra forms or papers required by

government for Bill C-31 registrants. In some areas, such as child care, administrative demands on staff time are reported to result in little or no time for individual counselling, which represents a reduction in service levels to regular members.

3.5 Program-Specific Impacts

Tables 3.4, 3.5 and 3.6 show the frequency and level of impacts by program area as reported by the case study and telephone survey bands.

Table 3.6 records comments as made by individual telephone survey respondents, whereas tables 3.4 and 3.5 record a synthesis of comments from several respondents reviewed in light of the available demographic data as well as on-site observations. Table 3.6 also records information collected on a slightly different set of program areas than that recorded in tables 3.4 and 3.5.

- **The study found that impact has been uneven. While many bands reported little or no impact at all, a few reported large impacts and impacts in several program areas.**

Generally the bands reporting higher frequencies and levels of impact are those with larger Bill C-31 populations. Some of the bands reporting little or no impact have few or no Bill C-31 registrants; at others, registrants have not moved to reserves in large numbers. In a few instances, bands have developed policies or membership codes that effectively prevent registrants from moving to the reserve. Inadequate housing on the reserves, scarcity of employment opportunities, the isolation of some reserves, and the fact that registrants may already have good homes and hold good jobs elsewhere may explain why many registrants have not moved to other reserves. Elsewhere, registrants already lived on reserve or in adjacent communities and may already have used certain facilities such as a band school or a health centre. In these cases, there is little perceived impact as these people are not "new" to the band.

The survey collected information regarding programs available at the band level. Little or no impact was reported for the following programs: capital facilities (other than housing infrastructure); community services including policing and fire protection services; services for seniors; drug, alcohol and substance abuse programs, including the National Native Alcohol and Drug Abuse Program (NNADAP); day care; recreation and cultural programs; and adult education. Consequently, these programs are not discussed in detail.

Table 3.4

Frequency of Case Study Bands Reporting Impacts
by Number of Program Areas Impacted

	TOTAL NUMBER OF PROGRAM AREAS IMPACTED									
	0	1	2	3	4	5	6	7	8	9
NUMBER OF BANDS REPORTING IMPACT	10	6	10	5	3	5	2	1	1	2

Table 3.5

Frequency of Case Study Bands Reporting Impacts
by Program Area

Program Area	Negative Impact*	No Impact*	Positive Impact*	Both**	Program Not Delivered	Impact Data Not Available
Housing, Municipal Services and Land	19	23	3			
Post-Secondary	16	23	6	2	1	1
Kinder., Elementary Secondary Education	15	30	2	3	1	
Social Assistance	14	31	2	2	1	
Child & Family Care	8	27	2	1	7	2
Care for Seniors	1	22	1		19	2
Health Care	16	24			3	2
Drug and Alcohol	5	32			4	4
Economic Development	9	28	7	4	3	2
Policing	4	33			5	3
Fire	3	35			6	1

Notes:

* Negative impact: some disadvantage to the band or band members, as recorded in case study reports.
Positive impact: some benefit to the band or band members, as recorded in case study reports.
No impact: no benefits, disadvantages or no discernible impact, as recorded in case study reports.

** Records bands that reported both positive and negative impacts; totals for rows with a figure in this column exceed 45 (the total number of case study bands) by the number shown in this column.

Table 3.6

Frequency of Telephone Survey Bands Reporting Impacts on Program by Program Area

	Total Program Areas Impacted		3 Program Areas Most Impacted	
	#	%	#	%
Housing and Municipal	70	76	61	66
Post Secondary	51	55	32	35
Membership Admin.	64	70	27	29
Land	40	43	16	17
Social Assistance	53	58	15	16
Band Support	45	49	13	14
Secondary Education	49	53	13	14
Health	48	52	10	11
Kinder. and Elementary	43	47	8	9
Economic Development	41	45	7	8
Child and Family Care	41	45	6	7
Seniors Care	22	24	3	3
Drug and Alcohol	29	32	2	2
Policing	18	20	1	1
Recreation/Cultural	32	35	1	1

Although some respondents reported band support to be an area of impact, band support funding is formula-driven and is automatically adjusted to reflect changes in total band membership and on-reserve populations. It is therefore not discussed in detail.

3.5.1 Housing, Land and "Municipal-Type" Services

Description:

Funding and subsidy support for the construction or renovation of houses is available from DIAND and Canada Mortgage and Housing Corporation (CHMC) for on-reserve band members only. For new houses, the capital subsidy ranges from $19,080 to $46,260 per unit depending on the location and economic circumstances of the reserve. The average renovation subsidy is $6,000. The capital subsidy is not meant to cover the full cost of constructing a complete house. Bands or individuals are expected to fund the balance of construction costs through their own contributions, with "sweat equity" (labour), with contributions from other government sources or through loans.

DIAND has supplied supplementary funding for Bill C-31 registrants; if this funding is used, the band is required to provide the registrant family with adequate shelter on the reserve (although not necessarily the house built with the supplementary funds) within 12 months of the funding being made available. In addition, the department provides management and technical assistance.

The department also provides support and funding for the construction and maintenance of "municipal-type" services or infrastructure for housing. These services include access roads, water and sewers, electricity and special services such as flood and erosion control. Again, supplementary funding has been provided for Bill C-31 registrants.

Frequency:

- **Ninety-two (67%) of the 137 sample bands reported impact on housing, municipal-type services and land, while 45 (33%) did not report impact. Together these activities comprise the program area most frequently reported as impacted, and the area most severely impacted.**

All 45 case study reports contain statements on housing. Twenty-two (49%) reported impact and 23 (51%) reported no, or no discernible impact. Of those reporting impacst, 19 were negative and three were positive. Seventy (76%) of the 92 telephone survey bands reported impact and 61 (66%) reported it as one of the three program areas most impacted. In all provinces, 50% or more bands indicated housing to be one of the areas of most impact. The bands most frequently reporting impacts on housing are those with total and on-reserve populations in the mid-size range (301-800 and 151-500, respectively) (25/31, 81%, and 28/33, 85%). The farther a band is from a service centre, the less likely it is to report experiencing impact on housing. Sixteen (17%) telephone survey bands reported land to be a high-impact area.

Five tribal councils mentioned housing as the most frequent problem resulting from Bill C-31. In their opinion, the housing situation is creating a "negative feeling" toward Bill C-31 as a whole.

Some off-reserve communities commented on housing.

Housing is the one area where both actual and anticipated impacts are highly visible. For most other on-reserve services, respondents focused on current impacts. There is no "wait list" process to indicate the future impacts that are evident in the housing area.

Impacts:

Most of the housing-related issues raised during the study existed -- in varying degrees at various bands -- in the past. The effect of Bill C-31 has been to compound these issues.

- **The study reported concerns that the number of Bill C-31 registrants was underestimated, and that this had had a major impact on housing demand.**

When Bill C-31 was passed, it was not known how many people would apply to regain status, how many would be granted status, which bands registrants would belong to, whether they would meet membership requirements, how many would apply for residency on reserve, and how many would move to reserve. The actual demand for housing on individual reserves only became known when Bill C-31 registrants expressed interest in moving to reserve. Some respondents claim that the government's estimates were inadequate.

- **The study reported that Bill C-31 has increased the shortage of housing at some bands.**

The impacts of Bill C-31, respondents claim, include an increased demand for housing, which means increased housing backlogs, longer waiting lists, more members living in sub-standard housing, and more members unable to move to reserves because they have nowhere to live.

Nineteen telephone survey bands referred to the existence of housing shortages prior to Bill C-31. Most of these, as well as some case study bands, felt that the movement of Bill C-31 registrants to reserves has been delayed due to insufficient housing.

- **The study found that Bill C-31 has added to the problems of assigning housing.**

Many bands already experienced difficulties in assigning housing, particularly new housing, to families. For some of

them, the housing subsidies available for Bill C-31 registrants have introduced a new dimension to the problem.

Bands have taken different approaches to resolving the funding-priority issue. Some maintain only one waiting list, and assign housing on a first-come-first-serve basis combined with need. In some cases, houses built with Bill C-31 funds may in fact be occupied by non-C-31 families. However, the registrant families are provided with other accommodation, often not new. Some bands maintain separate waiting lists for registrants and allow them to build houses as soon as funds become available. In these cases, Bill C-31 registrants are perceived as "jumping the queue," which causes resentment among those regular band members who have waited many years for housing.

Two bands stated categorically that they "cannot give houses to Bill C-31 registrants before people who have been waiting for years." Others will not apply for funding under the Bill C-31 program, because they fear accessing funds for one Bill C-31 registrant will create expectations and encourage a large number of registrants to return to the reserve demanding housing.

The question of fairness in allocating houses and the friction it causes between registrants and other band members was raised by over one-third of case study bands, by about one-fifth of telephone survey bands and by some bands interviewed through the off-reserve study. Eight case study bands reported feelings of resentment on behalf of regular members and three reported specific complaints by Bill C-31 registrants, which in one case has resulted in legal action. Many of the 19 telephone survey bands commenting on this issue noted that the main problem is the friction that occurs between registrants and the regular members, since registrants either receive a house more quickly or receive more money to build a house.

The study also noted cases where the registrants, on learning of the backlog and the likely time required before housing would be available, simply gave up.

The off-reserve community reports give another side of the story. Many of the newly registered Indians interviewed who currently live in the off reserve communities, aspire to better housing: this was one of the reasons they applied for status. For many it was a shock to discover that housing benefits apply only on reserve that housing is not free, that there are often

waiting lists, and that they may not dispose of a house on reserve as they desire. Newly registered Indians frequently call the nearest band (not necessarily their band of affiliation) for housing. Some think the band office is lying to them and become very angry, when in fact the band is merely describing the situation.

- **The study found that Bill C-31 has increased the number of band members seeking housing funding, particularly the portion not funded by DIAND or CMHC.**

DIAND and CMHC provide subsidies for housing construction. Some bands or individuals do not seem to realize that they have to fund the balance through their own contributions, with "sweat equity" or with contributions or loans from other sources.

Funding the balance has long been a problem, and Bill C-31 has meant that there are now more people trying to access the same finite sources. Even though supplementary funding has been provided for Bill C-31 registrants, to many communities this simply means additional units for which they cannot raise the unfunded portion. In some cases, construction has started without sufficient funds to complete the house, and occasionally this has led to band members living in unfinished houses.

- **The study found that additional housing has led to some additional operating costs.**

Where bands have had to establish housing for Bill C-31 registrants, the demand for skilled planning and construction supervision staff increased. Funding for these activities usually came from band funds. Some bands have drawn funds from other programs to the detriment of those other programs. Sixteen telephone survey bands emphasized how the drastic increase in housing demand had placed a strain on the program and the administration of the program.

- **The study reported that Bill C-31 has created additional pressure on the availability of land (serviced and otherwise) for housing, and has created some land-use conflicts within bands.**

Comments centered on three areas. First is insufficient land, or insufficient land suitable for residential construction. In

some cases, the requirements of Bill C-31 registrants are reported as having added to a pre-existing shortage.

Second is a shortage of serviced sites and a shortage of funds to service lands. Some bands noted that the level of housing infrastructure had been geared to a certain level of population growth projected over time. A sudden expansion in the required housing stock, due to Bill C-31, has brought with it the need for significant expenditures to service land and create new subdivisions that previously were not required and had not been planned for.

Third is the use of land. Some bands reported pressure on land that regular members do not want to see used for housing.

Sixteen telephone survey bands commented on land: 14 said they do not have enough; one has plenty, but it is not suitable for residential purposes. six referred to a lack of land as the main housing problem. Two emphasized the increase in infrastructure costs (clearing land, providing services) as the main impact of Bill C-31. Others have been able to accommodate Bill C-31 registrants, but they have used up all the available lots and providing serviced land will become a problem in the near future.

Two bands interviewed through the off-reserve study noted that DIAND provides funding for infrastructure for Bill C-31 housing. However, a band that already has a community development plan in place cannot access those funds unless it develops a new community on one of its other, as yet undeveloped, reserves and builds some Bill C-31 houses there. Bands who are doing this are accused by their newly registered members of treating them differently from regular band members by not allowing them to live in the main community.

- **A shortage of available housing on some reserves has had a mitigating effect on the impact of Bill C-31 on other programs.**

Most programs and benefits, apart from non-insured health benefits and post-secondary education assistance (PSEA) funding, are available only to band members who live on reserve. Those members who cannot find housing on reserve are generally not eligible for these programs and benefits. Consequently, at those bands where there is insufficient housing for Bill C-31 registrants, the impact of registrants on

other programs is less than it would likely have been had sufficient housing been available.

3.5.2 Education: Post-Secondary Student Support Program

Description:

Financial assistance (allowances for tuition, books and supplies, travel and living expenses) and instructional support (to help native students qualify for entrance to regular university and college programs) is available for eligible status Indians both on- and off-reserve. Bill C-31 students have always been funded separately from other students. The department also provides financial support to provincial and Indian post-secondary institutions for the design and delivery of Indian post-secondary education programs.

Frequency:

- **Seventy-two (53%) of the 137 sample bands reported impact in post-secondary education, while 65 (47%) did not report impact. Next to housing, post-secondary education is the impact area most frequently mentioned.**

Forty-three case study reports contain statements on post-secondary education. Of these, 20 (47%) reported impact and 23 (53%) reported no, or no discernible, impact. Of those reporting impact, 16 (73%) were negative and six (27%) were positive (two bands reported both).

Fifty-one (55%) telephone survey bands reported impact and 32 (35%) reported it as one of the three program areas most impacted.

Five tribal councils mentioned education as one of the areas most impacted by Bill C-31; most were concerned about funding and increased workloads.

Several off-reserve communities commented on post-secondary education.

Impacts:

- **Enrolment has increased due to Bill C-31; the percentage varies significantly between bands, ranging from 0% to 100%.**

Forty case study bands provided data on post-secondary enrolment (see Appendix 5). Of these, 23 reported data for both 1984-85 and 1989-90; nine of these reported no increase due to Bill C-31. The remainder reported a range of increases. Table 3.7 shows that in 1989, of the 40 case study bands reporting information, half of them indicated that Bill C-31 registrants represented less than 10% of their on-reserve Post-Secondary Student Support recipients.

Thirteen telephone survey bands emphasized the increase in number of students.

- **Twenty-five (18%) of the 137 sample bands reported some problems with funding and the funding process for the additional students.**

"Initially more money; now there is a smaller financial source for education."

Twelve case study reports contain statements on funding. Five note problems with adequacy of funding; seven note problems relating to the funding mechanism and to cash flow. In some cases, to allow students to attend classes, bands have

Table 3.7

Distribution of Case Study Bands by Number of On-Reserve Bill C-31 Registrant Post-Secondary Recipients Expressed as a Percentage of Total On-Reserve Post-Secondary Recipients, 1989*

Percentage Reported	Number of Bands
0%	13
1%-9%	7
10%-19%	5
>19%	15
Total	40
Range	0%-100%

* The case studies sought to collect this information only for those persons who would normally be resident on reserve; however, several bands were unable to separate on-reserve from off-reserve residents in this area.

financed the students themselves before being assured that funding would be made available. Only one band noted that it had not been fully reimbursed.

Thirteen telephone survey bands noted that resources are limited given the greater number of students; four of the 13 claim there is insufficient funding to cover administrative services.

There are no reports of regular band members being denied funding because of Bill C-31 students. Denial of funding hinges on course or academic requirements and timeliness of application.

A secondary concern is the timeliness of approvals: students may not find out whether they qualify for assistance until it's too late in the year to make arrangements. Some students are reported to have become discouraged by the slowness in approvals. This appears to apply to all students, not just Bill C-31 registrants. In the case of Bill C-31 students, it appears to apply more frequently to those living off reserve. Some bands commented that applications for education assistance came from people they did not know, which made dealing with them all the more difficult.

The off-reserve communities reported problems encountered by newly registered, and other status Indians living off reserve, in accessing post-secondary education benefits. The problems are said to derive from two factors: the level of funding currently available and the devolution of responsibility from DIAND to bands and to the territorial government. For example, if a band has assumed responsibility for post-secondary funding and does not recognize a newly registered applicant as belonging to that band, even though DIAND says the applicant is affiliated with the band, then the applicant has nowhere to turn, especially as DIAND regional offices may offer no services in this area. In the NWT, the Government of the NWT (GNWT) is responsible for all post-secondary education funding for all residents, Indian or otherwise. DIAND offers no additional programs. The GNWT provides funding on the basis of one year of funding for every two years of elementary or secondary education completed in the territory. It does not distinguish between funds to be allocated to status Indians and those for NWT residents generally. People resident in the NWT but not educated there do not qualify for these benefits.

- **There are reports that Bill C-31 registrants receive funding more easily and faster than other band members. Others feel that registrants may not have the same access to educational funding assistance as regular members.**

Two bands stated that Bill C-31 registrants appear to get preferential treatment, which led to tension. In contrast, other bands claim a lack of funding for off-reserve students, which combined with the retention of the administration of education for Bill C-31 registration within DIAND, has led to a perception that registrants may not have the same access to education funding assistance as regular members.

- **Some respondents volunteered that Bill C-31 registrants are motivated to succeed in post-secondary education. This, it is said, has had a spin-off effect on some regular band members.**

One band observed that "Bill C-31 registrants have the highest level of education compared to regular band members," which accounts for the great impact of Bill C-31 on this area. Others reported lower drop-out rates for Bill C-31 students compared with those for regular members.

3.5.3 Education: Kindergarten, Elementary and Secondary

Description:

DIAND provides funds for kindergarten, elementary and secondary education to status Indian children living on reserve. Instructional services are provided through either band-operated schools that are managed by bands, or in provincial schools with tuition and capital agreements between the department or a band and provincial or private school boards, or in federal schools operated by the department on reserve or Crown land. Funds are also available for various educational support services, including transportation, financial assistance, accommodation, guidance and counselling services, and instructional support.

Frequency:

- **Respondents reported a lower frequency and level of impact for kindergarten, elementary and secondary education than for post-secondary education. More bands reported an impact on secondary education**

than on kindergarten and elementary education programs.

Forty-four case study reports contain statements on kindergarten, elementary and secondary education. Of these, 15 (34%) reported impact and 29 (66%) reported no, or no discernible, impact. All of the bands reporting impact reported some negative impact; two bands also reported positive impact.

Forty-three (47%) telephone survey bands reported impact on kindergarten and elementary education and eight (9%) reported it as one of the three program areas most impacted. Forty-nine (53%) reported impact in secondary education and 13 (14%) reported it as one of the three program areas most impacted.

Five tribal councils mentioned education as one of the areas most impacted. Most were concerned about funding levels and increased workloads; one noted that impacts were not as great as had been expected.

Several off-reserve community reports include comments on education.

Impacts:

- **Bill C-31 has resulted in some increase in school enrolment at all levels, which is reported to have had both positive and negative impacts.**

Thirty-five case study bands provided data on enrolment levels (see Appendix 5). Of these, 17 reported data for both 1984-85 and 1989-90; four reported no increase and five reported small increases due to Bill C-31; and eight reported increases up to 75%. More reported larger increases in secondary enrolment than in kindergarten or elementary enrolment. Table 3.8 shows that in 1989, for the 34 case study bands reporting information, 25 bands indicated that Bill C-31 registrants represented less than 10% of their on-reserve school enrolment in kindergarten, while this is the situation for 27 and 21 of the 35 bands reporting information in the case of elementary and secondary school enrolment respectively.

Six telephone survey bands noted increases in kindergarten and elementary enrolment and nine in secondary school enrolment.

Table 3.8

Distribution of Case Study Bands by Number of On Reserve Bill C-31 Registrant School Enrolment Expressed as a Percentage of Total On Reserve School Enrolment, 1989

	Number of Bands		
Percentage Reported	Kindergarten	Elementary School	Secondary School
0%	21	13	16
1%-9%	4	14	5
10%-19%	6	5	9
>19%	3	3	5
Total	34	35	35
Range	0%-48%	0%-54%	0%-75%

On the positive side, Bill C-31 is seen as contributing to an increased interest in native language education. Increased enrolment in on-reserve schools allows more native children to be educated in traditional Indian ways. One band has hired a native language instructor, partially in response to the demand created by Bill C-31 students.

Again on the positive side, increased enrolment could lead to better school facilities, which would benefit all children, both Bill C-31 registrants and other band members alike.
In contrast, Bill C-31 is reported to have brought some bands toward the capacity limit of their education facilities. This applies particularly to schools on reserve, which are most frequently found at the kindergarten and elementary levels. In the words of one band, Bill C-31 registrants have "made crowded schools even more crowded. It has created a five-year time lag between the need for expansion and the resources to implement it." A few bands also reported crowding on school buses. For other bands, however, it appears that crowded facilities is a potential problem, rather than an impact that has already been experienced. Increase in enrolment of on-reserve students at schools off reserve is, generally, less of a problem for bands. Frequently it represents only a transfer from one school to another.

In the off-reserve study, one band noted that it would like to provide educational services to status Indian children living in

the neighbouring community but cannot because its school is not large enough. Nor would DIAND pay the band for the education of these off-reserve status children.

- **The study found some attitudinal problems.**

The study reported perceptions of discrimination in cases where Bill C-31 registrants, who had not moved to the reserve but lived close enough that it was practical to send their children to a reserve school, had been refused access to the school. The distinction relates not to Bill C-31 status but to residency; however, it affects many registrants because they often do not live on reserve.

Another band noted that "in the minds of some, amendments to the *Indian Act* have undermined the spirit and intent of [our] treaties ... there is an underlying fear that [our] treaty rights to education are threatened."

3.5.4 Social Development

Description:

The Social Development Program provides support and assistance to individuals, families and communities in order to improve their quality of life and to maximize the degree of independence, self-sufficiency and social functioning of the community and its members. This support is provided through social assistance payments to individuals and through social services for individuals, families and communities.

Social assistance payments for basic necessities and non-recurring needs are made to low-income status Indians who meet a needs test. Social assistance payments for off-reserve status Indians who are not covered by provincial services are administered directly by DIAND in Alberta and Saskatchewan, and on a cost-recovery basis elsewhere by provincial and municipal governments.

Child and family care consists of a range of prevention and protection services for children and families at risk. DIAND's involvement is generally limited to funding under different types of arrangements between bands, Indian agencies, the provinces and the department.

Care for seniors consists of institutional or in-home care for adults in the community who can no longer function

independently (primarily the elderly and disabled). These services are available only to on-reserve residents or those whose normal place of residency before institutionalization was the reserve.

Other specific services funded by DIAND vary from province to province, and may include daycare, rehabilitation services, drop-in centres and transition homes for battered women.

This study examined social assistance payments, child and family care (child welfare), care for seniors (adult care) and, to a more limited extent, daycare. As care for seniors and daycare were not reported to be areas of impact, they are omitted from the following discussion.

3.5.4.1 Social Assistance Payments

Frequency:

- **Sixty-seven (49%) of the 137 sample bands reported impact in social assistance programs, while 70 (51%) did not report impact.**

All case study reports contain statements on social assistance payments. Fourteen (31%) reported impact and 31 (69%) reported no, or no discernible, impact. Of those reporting impact, 14 (100%) were negative and two (14%) were positive (two bands reported both).

Fifty-three (58%) telephone survey bands reported impact and 15 (16%) reported it as one of the three program areas most impacted.

Tribal councils did not comment on the area.

Some off-reserve communities commented on welfare.

Impacts:

- **Several bands have experienced an increase in the number of members requiring social assistance.**

Thirty case study bands provided data on band members in receipt of social assistance (see Appendix 5). Assistance may be continuous or seasonal; eight bands reported no seasonal assistance, and 22 bands reported a mix. Table 3.9 shows that in 1989, of the 30 case study bands reporting information, two-

thirds indicate that Bill C-31 registrants represented less than 10% of their on-reserve social assistance recipients.

Seven of the 14 telephone survey bands that reported a major impact on social assistance due to Bill C-31 emphasized a "great increase" or "influx" of social assistance cases, especially where work is seasonal.

- **The study reported misunderstandings regarding eligibility.**

Table 3.9

Distribution of Case Study Bands by Number of On-Reserve Bill C-31 Social Assistance Recipients Expressed as a Percentage of Total On-Reserve Social Assistance Recipients, 1989

Percentage Reported	Number of Bands
0%	9
1%-9%	11
10%-19%	4
>19%	6
Total	30
Range	0%-75%

Misunderstandings occur when members not living on reserve think they are eligible to receive social assistance payments from the band, but are not. This, it is claimed, creates problems, especially when the band has to refuse members living in a community adjacent to the reserve.

Another type of misunderstanding involves women who have been reinstated but whose husbands are not Indian. In one case, these people cannot move to the reserve and therefore they are not eligible for social assistance payments from the band. Elsewhere, regular members are complaining that non-Indians are benefitting from a social assistance program that is supposed to benefit Indian people on reserve. In one case, 30 of the 39 C-31 families on social assistance have a male head of household who is non-Indian.

The off-reserve study noted that although individual problems occur as persons gain status and move from the provincial system to coverage by DIAND, overall there is little indication that Bill C-31 has had much impact on access to welfare. One band reported that they were able to provide welfare to status Indians living off reserve and who are members of other bands. It also noted an increase in the number of requests for welfare from such persons since 1985. Many persons, particularly in more isolated communities, it seems, prefer to collect federal welfare because the distribution centres (reserves) are closer, the cheques are distributed at shorter intervals and the regulations are often less stringently applied.

- **The study reported some negative attitudes toward Bill C-31 members in receipt of social assistance.**

Respondents commented on the perceived differences between the Bill C-31 registrants and regular band members, on the high expectations of registrants, on the lack of jobs and the fears of regular band members that registrants would take from them the few jobs that do exist.

3.5.4.2 Child and Family Care Services

Frequency:

- **Fifty (36%) of the 137 sample bands reported impact on child and family care services, while 87 (64%) did not report impact.**

Thirty-six case study reports contain statements on child and family care. Of these, nine (25%) reported impact and 27 (75%) reported no, or no discernible, impact. The service is not delivered at seven bands, and data were not available for one band. Of those reporting impact, eight were negative and two were positive (one band reported both).

Forty-one (45%) telephone survey bands reported impact and six (7%) reported it as one of the three program areas most impacted.

Tribal councils and off-reserve communities did not comment on the area.

Impacts:

- **Some bands report increased caseload.**

Twenty-four case study bands provided data on the number of child and family care clients (see Appendix 5). Of these four reported data for both 1984 and 1989; three of these reported no increase due to Bill C-31, and 1 reported a 25% increase (three out of 12 clients) due to Bill C-31. Table 3.10 shows that in 1989, of the 24 case study bands reporting information, 75% indicated that Bill C-31 registrants represented less than 10% of their on-reserve child and family care clients.

While some case study bands noted significant increases in the number of clients due to Bill C-31, others indicated that their caseload increase is not attributable to Bill C-31.

3.5.5 Health Services

Description:

Medical Services Branch (MSB) of National Health and Welfare Canada is responsible for the health of Canada's native people. It manages a number of programs aimed at assisting status Indians attain a level of health comparable to that of other Canadians. This study focuses on three areas:

- Community Health Services: community preventive health and health promotion programs such as health education, immunization and nutrition counselling; emergency treatment services when not otherwise available from the provinces; benefits not covered by provincial health insurance for such items as prescription drugs, eyeglasses, protheses and patient transportation (commonly called non-insured health benefits); and training of health personnel such as nurses and community health representatives (CHRs).

Table 3.10

Distribution of Case Study Bands by Number of On-Reserve Bill C-31 Child and Family Care Clients Expressed as a Percentage of Total On-Reserve Child and Family Care Clients, 1989*

Percentage Reported	Number of Bands
0%	15
1%-9%	3
10%-19%	1
>19%	5
Total	24
Range	0%-28%

* This may include some clients normally resident off reserve.

- Dental Health: preventive and education programs particularly aimed at school-age children; diagnostic and examination services; and dental treatment.

- Hospital Services: operation of seven general hospitals providing services ranging from primary to limited secondary levels of care; linkage with provincial and territorial health care systems and smaller MSB facilities such as nursing stations; and promotion of local native involvement on hospital advisory boards.

Most of MSB's programming effort is directed toward health education. These programs are frequently available to communities as a whole and are not restricted to status Indians.

Most status Indians obtain medical treatment through provincial health systems and private practitioners; MSB pays costs on a contractual or fee-for-service basis. MSB provides treatment services primarily where no other services are available. It does so through hospitals, health clinics, nursing stations, resident or visiting medical staff, and through CHRs who are generally native and live on the reserve. In some locations, particularly where no other health facilities exist, treatment is available to all residents in the area, regardless of status.

Non-insured health benefits, which are not covered by provincial health insurance plans, include prescription drugs, eyeglasses, dental treatment services, medical devices and supplies, and some services of non-medical practitioners as prescribed by a physician and approved by regional medical officers. These benefits are available only to status Indians [and Inuit] regardless of residence. Individuals newly registered under Bill C-31 are eligible for these benefits as of the date of application for registration. However, approval and payment of services is deferred until MSB has been notified of registration by DIAND.

Federal funding for public education programming related to alcohol, drug and substance abuse and directed at entire communities is available through the National Native Alcohol and Drug Abuse Program (NNADAP). In addition, some funds are available for treatment.

This study examined both health care services and alcohol, drug and substance abuse programs. As the latter was not reported to be an area of impact, it is omitted from the following discussion.

3.5.5.1 Health Care Services

Frequency:

- **Sixty-four (47%) of the 137 sample bands reported impact on health care services, while 73 (53%) did not report impact.**

Forty case study reports contain statements on health care services. Of these, 16 (40%) reported impact, all negative, and 24 (60%) reported no, or no discernible, impact.

Forty-eight (52%) telephone survey bands reported impact and 10 (11%) reported it as one of the three program areas most impacted.

Two tribal councils commented on the area.

Some off-reserve communities commented on health.

Impacts:

- **Some bands reported an increase in caseloads due to Bill C-31.**

"A lot of people have neglected their health because they had to pay. Now that it is free, they are making an increase in demand."

Only eight case study bands provided data on health care clients (see Appendix 5) and only two provided data for both 1984 and 1989. Of these, one reported no change due to Bill C-31 and the other reported an increase of 44%, the highest increase reported by any of the eight bands.

Ten telephone survey bands indicated that Bill C-31 had had a major impact on the number of health care clients.

This study was unable to quantify increases in caseloads. Thirty-three case study bands provided no data on the number of health care clients, and four bands provided only incomplete data. Several case study respondents noted that their bands do not differentiate between regular band members and Bill C-31 registrants when providing health care services; what is more important is that clients live on reserve. At least six bands stated that they do not keep separate records for Bill C-31 patients.

It should also be noted that at some reserves, particularly in more isolated areas, health care is provided from common facilities to all persons in the locality, both status and non-status, on reserve and off. Some bands with adjacent non-status communities were already providing health care services to all in their area and continue to do so. These bands have experienced little change in clientele, except perhaps in the area of non-insured benefits.

- **The study found no apparent difference between the types of services requested by Bill C-31 registrants and those requested by regular band members.**

- **The study reported that the nature of some community health representatives' work has changed due to Bill C-31.**

Ten case study bands reported that due to Bill C-31, their CHRs now spend more time answering inquiries about services and benefits, filling in forms and dealing with medical card applications. In five cases this has meant less time available for preventive care and educational programs. One CHR spends more time off reserve and therefore has less time to work with on-reserve patients. 2 bands noted increases in services provided to non-native spouses of Bill C-31 registrants.

One band noted that because most registrants live closer to the reserve's health services than they do to the nearest MSB zone office, they turn to the band for assistance. Thus the CHR becomes the liaison between the off-reserve members and the zone office.

- **The study reported concerns with medical transportation.**

Although not always stated explicitly, it is likely that concerns in this area were raised by bands that have assumed responsibility for medical transportation.

One tribal council noted that bands have to monitor the eligibility of people they bring in for medical treatment: if they are not eligible for the service "the federal government won't pay and the band loses out." According to the respondent, Bill C-31 has made monitoring more complex: "It was especially a problem with areas that have non-treaty people living on the reserve. They are eligible under Bill C-31 but haven't received final documentation. In some cases, both federal and provincial governments say they don't cover them."

Two telephone survey bands, one of them remote, stated that their biggest expense is transportation to health facilities. One case study band reported that both its patient transport service and the local hospital are showing a loss on services provided to registrants. The ambulance service (under local contract) is experiencing problems in being reimbursed for costs incurred by registrants.

One isolated off-reserve community health facility, which serves both status and non-status Indians, reported that patients seeking serious medical attention are sent to the local town, two hours away by car. Status Indians are sent by taxi and all their costs are covered. Those without status have to pay their own costs. Consequently, there are many who see a definite advantage to having status.

- **The study reported problems regarding provincial health insurance programs.**

In many cases, while bands administer their own community health programs, treatment services are provided by the provinces or private practitioners and billed through provincial health insurance programs. Six bands noted that their Bill C-31 registrants had encountered problems with applying to, accessing, or being billed by provincial medical programs.

Prior to their reinstatement, most registrants, as provincial residents, were covered by provincial health insurance programs. It appears that some did not realize that, to be eligible for health services paid for by MSB, they had to reapply, providing proof of their change in status. One band noted that some of its Bill C-31 registrants have not applied for provincial coverage. Concerns were also raised about the length of time applications can take, leaving some reinstated registrants without medical coverage in the interim. Two bands also cited confusion over having to provide proof of status when applying to provincial programs or accessing health services.

Without provincial insurance numbers, Bill C-31 registrants are supposedly not able to access treatment services (though some do anyway). When services are accessed by registrants temporarily without coverage, billing problems can result. In one case, a hospital is incurring losses from unpaid bills, in another case it is uncertain who is paying the bills or even if they are being paid. A third band noted that some out-of-province registrants, who have returned to the reserve, are being covered on a "reimbursement" basis only.

One off-reserve community reported problems relating to the provision of health services. In that province, provincial welfare benefits include health benefits for those in need, whereas federal welfare is strictly a living allowance; non-insured health benefits are provided separately from welfare and only for those recognized as status Indians. In a mixed status family on welfare and living on reserve, only the status members are eligible for non-insured health benefits. However, if they were living off reserve, these expenses might be covered by provincial welfare for all family members, depending on need.

3.5.6 Economic Development and Employment Programs

Description:

In 1989 the Government of Canada adopted a new national strategy for aboriginal economic development. As this strategy is only now being implemented, this study focuses on what existed prior to 1989.

Federal economic development and employment programs assist and support native people in achieving economic growth and self-reliance through institutional training, training on the job, mobility, entrepreneurial development and community investment.

Frequency:

- **Fifty-seven (42%) of the 137 sample bands reported impact in economic development and employment programs, while 80 (58%) did not report impact.**

Forty case study reports contain statements on economic development. Of these, 16 (40%) reported impact and 28 (70%) reported no, or no discernible, impact. The service is not delivered at three bands, and data were not available for two bands. Of those reporting impact, nine were negative and seven were positive (four bands reported both).

Forty-one (45%) telephone survey bands reported impact and seven (8%) reported it as one of the three program areas most impacted.

Two tribal councils commented on the area.

The off-reserve communities did not comment on this topic.

Impacts:

- **Some bands reported small increases in their labour force.**

Twenty-nine case study bands provided data on the on-reserve labour force, both employed and unemployed, for 1989 (see Appendix 5). Eighteen of these bands, as well as five telephone survey bands reported an increase in the labour force due to Bill C-31.

Few of the sample bands maintain detailed records on employment and even fewer distinguish between Bill C-31 registrants and other band members. Only 12 case study bands were able to provide data on the education levels of their on-reserve labour force for 1989, and only seven reported having any Bill C-31 registrants in the labour force.

With unemployment levels at many bands already high, a change in rate by a few percentage points, which is generally the effect of Bill C-31 registrants, will likely not have much impact. Overall, the case studies found that even when registrants had been successful in getting work, the small number of returnees had had no discernible effect on the economy of the bands. However, several bands noted that Bill C-31 registrants moving to the reserve had increased the demand for jobs on or near the reserve.

- **The study found a mix of responses by bands to the increase in band labour forces.**

Bill C-31 registrants moving to reserve fall into many different categories. At some bands it is primarily single non-working mothers, parents with large families, or the retired who are returning. One band commented that Bill C-31 registrants with the best job skills have tended to stay off the reserve while those without such skills have tended to move back. The impacts reported by these bands are quite different from those reported by bands whose registrants have added to the bands' labour force a variety of beneficial and valuable job skills. In the latter case, study bands reported that Bill C-31 registrants are better able to obtain work than regular members because they have a stronger work ethic, a wider range of job skills, greater exposure to the job market, and better education and training.

Some bands viewed these abilities as assets: they will strengthen the band's economic development potential because registrants will be able to obtain better paying jobs than some regular band members could. Others, particularly those without work, considered the increased competition for jobs, both on and off reserve, as a threat: "C-31s will come back and take the few jobs we already have." However, only one or two specific instances were cited where regular members considered themselves to have been put at a disadvantage regarding on-reserve work.

Other bands volunteered that returnees not only represented good role models for younger band members seeking employment, they also encouraged some adult members to go back to school to improve their own skills.

Two other bands noted that the return of Bill C-31 registrants is creating a need for better long-term economic, employment and training plans at the band level. It is "forcing the community to become more organized," which they considered to be beneficial.

- **The study found that Bill C-31 registrants have created little new business activity at the band level. Where they have, it has caused some problems that may outweigh the benefits.**

In some of the few new business opportunities created by registrants moving to reserves, the positive economic development benefits are sometimes felt to be outweighed by the perceived social costs of disruption to an accepted way of

life. Two bands reported that their long-term members felt they had lost effective control over land, which registrants had been allowed to farm or ranch: it had been "alienated" or "given away." In a third case, some regular members expressed resentment over a successful on-reserve business financed by a Bill C-31 registrant that provided several jobs for regular band members: they felt a regular member should have developed the business. A second registrant was subsequently denied permission to open a business on the reserve, partly because of this sentiment. Regular members of a fourth band expressed the view that success in establishing new business ventures merely encouraged more registrants to come back and make an already serious housing situation worse.

3.5.7 Administration of New Powers Embodied in the 1985 Amendments

Under the 1985 amendments, bands acquired or may acquire new powers in the areas of membership rules, residency by-laws and intoxicant by-laws. Data relating to the status of these rules and by-laws at the study bands are reported in Appendix 3.

3.5.7.1 Membership and Membership Rules

Description:

Before the *Indian Act* was amended, status and membership were administered by the federal Indian Registrar. In virtually all cases status and membership were linked; that is, registration of Indian status automatically conferred band membership, and bands had no role in determining either status or membership.

With the passage of the 1985 amendments, bands can assume control of their membership in accordance with their own membership rules, or they can opt to leave control with the federal government. To assume control of membership, a band has to respect two principles. First, a majority of electors must consent to the band's assumption of control as well as to a set of membership rules. Second, existing band members and those who were eligible to have band membership restored cannot lose their entitlement to band membership because of something that occurred before membership rules were adopted.

Bands that submitted membership rules on or before June 28, 1987 could restrict eligibility for band membership. On June 29, 1987 a much larger group of persons became eligible for

band membership. Essentially, the "status equals membership" regime was reintroduced. Bands may still assume control of their membership but must respect the rights to membership of the larger group.

As of March 31, 1990, 231 bands have adopted membership rules and control their band membership.

Impacts:

- **Fifty-five (40%) of the 137 sample bands have approved membership rules in place and another 32 (23%) stated that they are in the process of preparing membership rules. Two case study bands are revising proposed rules that were disallowed.**

Various reasons are cited for bands not having membership rules.

Membership rules submitted by five bands did not meet the requirements set out in the legislation and were disallowed by the Minister.

Four bands noted that they were unable to develop or adopt membership rules due to low participation of band members and the method of decision making: namely the vote that has replaced traditional consensus decision making.

Four bands have not pursued development of their own rules because of the difficulty of the process, and one band because it fears they "may result in legal action against [the band] on the basis of discrimination."

- **The study found that participation of Bill C-31 registrants in establishing membership rules was limited.**

Generally, only regular band members were involved in developing and voting on membership rules. One band specified that it had allowed women reinstated under Section 12(1)(b) and non-status residents on reserve to participate in developing rules. Another band noted that Bill C-31 registrants were involved in discussing the amendments to its membership rules although they could not vote.

- **The study found variations among existing membership rules.**

Of the 15 case study bands with approved rules in place, at least five have chosen to include all Bill C-31 registrants as eligible for band membership. Over half include second-generation status Indians, and at least six bands include adopted children. Least likely to be eligible for membership are non-status Indians (one band reports accepting applications from them compared with four bands that specifically exclude them), and members of other bands.

- **The study reported problems with both the registration process and the administration of membership rules.**

In response to questions on administration of membership and registration, 64 (70%) of the 92 telephone survey bands reported impact and 27 (29%) reported it as one of the three program areas most impacted. Some case study bands also reported impacts.

With regard to registration, respondents commented on the slowness of the process, and the difficulty in verifying the authenticity of Bill C-31 registrants. For example, 20 bands emphasized the time and effort required to fill out all the necessary registration forms, to answer the many requests for information and to assist in tracking down grandparents and the proper documents: "a never-ending burden on our clerk." One band is finding it difficult to verify C-31 registrants and notes that DIAND has not been helpful. Another noted that political issues make processing membership difficult.

The most frequently reported problem related to the administration of membership and membership rules is inadequate funding. One band, for example, commented that DIAND wants the bands to add names to the band list that do not meet band criteria, yet does not provide funding for these new members. Another stated that "Bill C-31 creates additional costs for the band now that it is in charge of its membership list. It has been expensive and time consuming to develop the rules, talk with members and review applications.... Further, the ongoing requirements of maintaining the membership list is not being funded and is a drain on the band's funds."

As for other concerns, one band "foresees legal problems. Someone may challenge our rules, probably a second generation native person." Another band asked: "How do you keep out the undesirables without infringing upon their rights?" One band mentioned gaps in the rules regarding rights to vote and hold office. Others noted the difficulty people have understanding

membership rules and one remarked that "whites married to natives [were] unable to understand their ineligibility to become band members." Another felt that "government refuses to recognize the obligations related to the status code."

- **At least four case study bands have not implemented their rules.**

One band has not done so because it fears litigation. It has not had the time or resources to study the implications of implementing its rules and band officials stated that they "do not have the resources to fight legal battles with applicants, the government or other organizations." Another non-implementing band noted that occasionally situations arise that are not clearly covered by their rules and that, over time, the rules will need to be revised.

Some difficulties appear to stem from the fact that the rules are legal documents frequently drawn up by lawyers but implemented by laymen. One band reported problems interpreting its membership rules and determining exactly which Bill C-31 registrants were eligible for membership. Another noted that "currently, even in the band office, there are slight differences of opinion as to who can become a band member."

A respondent at that same band cited a problem where a person had to give up membership at another band in order to be considered for membership in this band. The concern arose because the person would be without membership in any band if the application were rejected.

Respondents at another band noted that in the past few decades there has been a fair amount of intermarriage between bands in the area. It is common, therefore, for members of one family to be members of several different bands, and many Bill C-31 registrants have the option of choosing which band they wish to apply to for membership. In addition, as the band associated with the nearest town has recently relocated, the band under study (and five others in the area) are said to be seen as alternatives by registrants living in the town who do not wish to relocate to the new reserve.

3.5.7.2 Residency By-Laws

Description:

Prior to 1985, bands had no by-law power to control residency on reserve. New by-law powers included in the amendments

enable bands to regulate both the residence of band members and others on reserve, and the rights of non-member spouses and children of band members living on reserve. Some 50 bands have submitted residency by-laws since Bill C-31 came into force. Of these 22, are in force.

Impacts:

- **Only 26 (19%) of the 137 sample bands reported having a residency by-law. Some of these were in place before Bill C-31 and therefore are not attributable to the increased by-law power embodied in the amendments.**

One band has not implemented its residency by-law because members fear that once it is implemented, "white guys will use their Indian wives to take over reserve lands." Two bands noted that they would consider developing a residency by-law, but only after establishing their membership rules.

Some bands appear to be using means other than by-laws to control who may live on reserve. One band does so through its housing policy; another has included formal residency requirements in its membership rules.

- **The study found that existing residency by-laws tend to be more inclusive than exclusive, although eligibility criteria range from flexible to stringent.**

Most of the by-laws that are in effect or being prepared at telephone survey bands do or will permit all Bill C-31 registrants, their spouses and children to be residents. Of the case study bands, two are generally encouraging people, including Bill C-31 registrants, to move to the reserve, except for "undesirables". Another two are allowing registrants to move onto reserve based on need and subject to the availability of resources. Another two bands, both of which have membership rules, noted that they are allowing non-band members, such as some Bill C-31 registrants, to live on reserve, as long as they live with band members. Only one case study band had a more restrictive by-law and it was recently amended to reduce some of the restrictions. One band will agree to residency only five years after an individual's application for membership, and never for a non-Indian man (although non-Indian women are eligible for residency).

- **More residency by-laws may be passed in the near future.**

Twenty-seven telephone survey bands reported that they are in the process of developing residency by-laws. Four case study bands also reported an increasing interest: one because it has a critical housing shortage, the others because of specific problems encountered with "undesirables" on reserve.

However, six bands stated that they are unlikely to develop residency by-laws because of concerns over enforcement, possible litigation, lack of voter participation or the onerousness of the process.

3.5.7.3 Intoxicant By-Laws

Description:

Prior to 1985, intoxicants were prohibited on reserve, unless a band voted to come under provincial laws. With the passage of Bill C-31, bands now have the right to pass by-laws controlling the sale, barter, supply or manufacture of intoxicants, the prohibition of intoxication or possession, and exceptions regarding intoxication or possession. Such by-laws must be assented to by a majority of electors at a special meeting called by the band council to review the proposed by-law. In June 1987, these by-laws were exempted from the *Statutory Instruments Regulations*, which means that they no longer require federal examination, publication or registration. They become effective the day they are passed by a band council. Some 178 intoxicant by-laws have been enacted since the coming into force of Bill C-31.

Questions relating to intoxicant by-laws were asked at only 33 case study bands. No telephone survey bands or tribal councils recorded comments.

Impacts:

- **Eight (24%) of the 33 bands questioned have an intoxicant by-law in place; one band used to have a by-law but it has been repealed. At least five of these eight bands noted that their by-laws were in place before 1985 and are therefore not attributable to Bill C-31.**

4. SUMMARY COMMENTS

The impacts of Bill C-31, as expressed by the people interviewed, vary enormously across the bands sampled. While some bands remain for all intents and purposes untouched by Bill C-31, others have experienced major changes -- some positive, some negative. Bands with relatively large Bill C-31 populations tended to report higher frequencies and levels of impact than bands with smaller Bill C-31 populations; however, not all bands with large Bill C-31 populations reported high levels of impact.

Overall, housing is the dominant issue, primarily because it determines the number of people who may reside on reserve. Residency, in turn, is a pre-requisite for eligibility for all programs, except non-insured health benefits and post-secondary education assistance. Lack of housing on some reserves has mitigated the impact of Bill C-31 on other programs. It may also have mitigated the social impacts of the bill on the non-registrant reserve population.

APPENDICES

APPENDIX 1

TERMS OF REFERENCE

TERMS OF REFERENCE

Report to Parliament on the Impacts of the 1985 Amendments to the *Indian Act* (Bill C-31)

Need: In the 1987 Report to Parliament on the 1985 amendments to the *Indian Act*, a commitment was made to undertake a detailed evaluation of the impacts of the 1985 amendments and to report back to Parliament in June 1990.

Scope: The 1990 Report will document and assess the impacts of the 1985 amendments on First Nations communities and individuals. All affected sectors of DIAND and other federal First Nations-oriented programs will be included in the scope of the study.

Impacts: The following list of impacts will be addressed in the evaluation.

1. Impacts on registrants, as measured by changes in circumstances.

2. Impacts on bands and communities as measured by changes in band membership and band control of membership, changes in the number of residents, the availability of lands and resources and changes in management requirements.

3. Impacts on government programs as measured by changes in requirements for:

   - Education
   - Housing
   - Capital Infrastructure
   - Employment
   - Economic Development
   - Health
   - Social Assistance/Social Services
   - Band Support
   - Policing and Justice
   - Recreation

- Land (includes such policies as Additions to Reserves, and creation of new bands)
- Treaty Land Entitlement Negotiations
- Cultural Programs

4. Litigation resulting from Bill C-31

5. Impacts on off-reserve aboriginal people/communities

6. Social, political, cultural and economic impacts

7. Registration and membership, Indian Registrar's Office

Approach: In order to produce an accurate and comprehensive report, aspects of the study will be carried out simultaneously both by the Evaluation Directorate with aboriginal consultation, input and confirmation, and by aboriginal institutions independently.

The Evaluation Directorate will direct the departmental study with input from program staff at headquarters and in the regions. Data collection will be performed using a combination of in-house and external resources. The directorate will also manage contracts and prepare the Ministerial report. Surveys and case studies will be conducted in association with the national aboriginal political institutions and aboriginal communities to measure experiential data from registrants and communities.

Aboriginal participation in the departmental study will be obtained through a module developed jointly by the Chiefs' Committee on Citizenship (CCC), the Native Council of Canada (NCC) and the Native Women's Association of Canada (NWAC). This module will entail the establishment of a Joint Inquiry on the Impacts of Bill C-31 with panelists derived from each of the above organizations. Independent data regarding the impacts of Bill C-31 will be collected by the above-mentioned Chiefs' Committee, the NWAC, and the NCC through the Inquiry process. The results of this work will be integrated into the Minister's 1990 Report to Parliament on the Impacts of the 1985 amendments to the Indian Act, Bill C-31.

Transcripts from this module as well as consultants reports of findings from surveys and case studies will be deposited in the departmental library.

Unsolicited submissions received during preparation of the report will be treated in a similar manner.

There will be continuous informed consultations with First Nations and aboriginal institutions (including the AFN, NCC and NWAC) through the course of the review including input and confirmation on the design and implementation of the study modules.

Study Methods:

The study will address impacts using both quantitative and qualitative measures to provide an accurate assessment. Statistics will be tabulated on individuals affected by implementation of the amendments with clear presentation for each government program and for bands and communities. Additional information about program impacts will be collected from registrants, First Nations governments and aboriginal institutions, and from appropriate documents. Officials of other departments will be invited to participate in a series of meetings to provide and interpret the program data.

Information to serve as the basis for the Minister's Report will be collected primarily in a series of research modules conducted simultaneously, as follows:

Module 1: Information from First Nations and Aboriginal Institutions

Chiefs Committee on Citizenship (CCC), the Native Council of Canada (NCC) and the Native Women's Association of Canada (NWAC) will collect information regarding the impacts of Bill C-31 through a Joint Inquiry process. These hearings will be conducted in various municipal centres in every region of the country; presentations and submissions from all First Nations will be solicited. The information will be compiled in report form and integrated into the Minister's Report.

Module 2: Survey of Registrants

Information on the perceptions and experiences of a scientific probability sample of Bill C-31 registrants will be collected by survey.

Module 3: Survey and Case Studies of Bands and Communities

Information on the perceptions and experiences of a scientific probability sample of officials from up to 145 Bands and associated Tribal Councils will be collected.

One hundred of these Bands will be interviewed by a survey.

In depth information on impacts in up to 45 additional communities will be obtained from on-site case studies involving travel to the reserves in order to conduct face-to-face interviews with Band Council representatives, Band managers, elders, members and community residents, as well as a review of documents and other information provided by bands.

A special study of aboriginal communities selected by the First Nations and national aboriginal institutions will also be undertaken using survey and face-to-face interviews.

Module 4: Information about Government Programs and Statistics

Program information which includes financial allocations will be identified and summarized from existing documents and reports, supplemented by consultation with program representatives from headquarters, the regions, First Nations and national aboriginal institutions, and other departments and agencies. These departments include, but are not limited to, Health and Welfare Canada, Canada Mortgage and Housing, Employment and Immigration Canada, Fisheries and Oceans, and Secretary of State.

Schedule: Planning for the study will start in the first quarter of 1989-90. Advisory consultations with the First Nations and national aboriginal institutions should take place on a formal basis in August, October, January, April and on an ad hoc basis as needed. Data collection will be carried out from September to December 1989. Analysis of the data and consolidation into a draft report should be completed by April 1990. The final report will be prepared in May in preparation for reporting to Parliament in June 1990.

APPENDIX 2

STUDY DESIGN AND IMPLEMENTATION: ADDITIONAL INFORMATION

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2.1 Sampling

Case study and telephone survey bands: The number of bands selected from each region was weighted for two variables: the total status Indian population of each region as a percentage of the total status Indian population in Canada, and the total number of bands in each region as a percentage of the total number of bands in Canada. This weighting was essential to accommodate such factors as Quebec having relatively few bands (39), but generally large populations (total 44,111; average per band 1,131), and B.C., by comparison, having many bands (196) but generally small populations (total 77,153; average per band 394).

The study conformed with the sampling methodology described in the report, with the following exceptions:

- Three telephone survey bands that advised the study team before any calls were made that they did not wish to participate were replaced using the replacement criterion.

- At the outset, five case study bands were replaced at the request of the aboriginal organizations to ensure coverage of unique or unusual circumstances. As one replacement was selected from a different province, an additional band was added to the sample to keep the regional representation in line.

- Some changes were made in the Saskatchewan region (primarily to the case study bands) to accommodate valid concerns of the Federation of Saskatchewan Indian Nations; the replacements generally respected the criterion of size. An extra case study band was added to the sample.

- A clerical error resulted in two bands with similar names both being contacted; this added another case study band to the sample.

These exceptions brought the total sample to 48 case study bands. The sample for the telephone survey remained at 90.

The overall refusal rate for the telephone survey-bands was 14% (calculated as the number of refusals divided by the number of completed interviews plus the number of refusals). Despite every encouragement, three small bands declined to participate because they felt that they had nothing to contribute. Other bands declined for various reasons: they did not wish to be interviewed by telephone; they were too busy due to fiscal year-end workload; they were

concerned about how their comments would be used in the future; one band was "boycotting DIAND since [its] budget had not been signed"; other bands did not recognize Bill C-31; and one band was in a court case over Bill C-31.

From the revised sample of 48 case study bands, 14 either declined to participate or could not be reached, at which point their alternates were contacted. Of the alternates, three declined to participate.

Tables A2.1 and A2.2 provide further information on the selection of bands and completion rates, respectively.

Off-reserve communities: The 10 off-reserve communities were selected based on the following six problem sets or criteria:

1. communities where a major redefinition of boundaries (vis-a-vis reserves) has occurred, such as in adjacent or mixed communities;
2. communities with limited links to reserves seeking to establish their own bands or reserves;
3. communities with a high impact in the area of land claims, treaty rights, harvesting or resources (for example, hydro, flooding, scarce land, forestry);
4. communities with service delivery confusions resulting from the registration of significant numbers of people such that existing service providers may be arguing for withdrawal or withdrawing on the grounds that DIAND is now responsible for these services;
5. communities where reinstatements have led to demands for off-reserve service delivery to a significant proportion of persons; and
6. communities where high impact has been felt by women and their families (for example, family splitting).

2.2 Data Collection Tools

Case studies: The case study questionnaires directed to the **political level** sought information in six areas:

1. Descriptive information:

- o chief's position, responsibilities and length of time in the position;
- o total number of councillors, now and in 1985, and reason for any difference;
- o frequency of elections, band council meetings, role of band council; and
- o frequency of general assemblies or meetings.

Table A2.1

	Selection of Bands									
	Yukon	NWT	BC	Alta	Sask	Man	Ont	Que	Atl	Total
Number of bands	15	17	196	41	68	60	126	39	31	593
Distribution of bands by region	2.5%	2.9%	33.1%	6.9%	11.5%	10.1%	21.2%	6.6%	5.2%	100%
Distribution of Indian population by region	1.2%	2.2%	17.4%	12.5%	15.4%	14.5%	22.9%	9.9%	4.0%	100%
Total number of bands to be selected	3	3	34	13	18	17	30	11	6	135
Number of bands in telephone survey	2	2	23	9	12	11	20	7	4	90
Number of case studies	1	1	11	4	6	6	10	4	2	45
Sampling interval	5	6	6	3	4	4	4	4	5	

Table A2.2
Telephone Survey, Case Studies and Tribal Councils
COMPLETIONS AND NON COMPLETIONS

	TOTAL	ORIGINAL SAMPLE							REPLACEMENTS						
		BC/* Yukon	Alb/* NWT	Sask	Man	Ont	Que	Atl	BC/ Yukon	Alb/ NWT	Sask	Man	Ont	Que	Atl
Bands															
Completions	137	22	8	11	14	24	7	4	15	9	7	1	7	5	3
Refusals	17	5	3				1	1	2		2	2	1		
Refusals prior to beginning of telephone survey	3	1	1	1											
Language barrier	1	1													
Wrong telephone number/out of service	1					1									
Total # contacted	159														
Tribal Councils															
Completions	11	2		1	1	2		1		1		1	1	1	
Refusals	1										1				

* jointly reported due to small sample size in Yukon and NWT.

2. Impact of Bill C-31 on the band:
- What services are registrants, both on and off reserve, seeking from the band?
- How does band council respond to band members wanting to move to the reserve or seeking information about services and benefits?
- What problems, if any, has the band council had in responding to these requests?
- How has the band council changed (if at all) as a result of Bill C-31?
- What impacts, if any, either positive or negative, have Bill C-31 registrants currently living on reserve or wishing to move to the reserve had on the band council and its work?
- Overall, has the band been able to deal effectively with any additional pressures placed on the community?
- Are there any further comments about Bill C-31 and how it has affected these services in the community?

3. Membership rules:
- status of membership rules, if any;
- process by which rules were/are being developed; and
- who is/will be allowed to become a member under the rules.

4. Residency by-laws:
- status of residency by-law, if any;
- process by which the by-law was/is being developed; and
- who is/will be allowed to reside on reserve under the by-law.

5. Liquor by-laws (asked at only 33 bands):
- status of liquor by-law, if any; and
- what impact, if any, has Bill C-31 had on the liquor by-law.

6. Band policies, specifically housing:
- In which areas has the band made its own policies; how were they made?
- What has been the impact of Bill C-31 on the band's housing policies and program?

The case study questionnaires directed to the **administration** sought information in two areas:

1. Descriptive information:
- interviewee's position, responsibilities and length of time in the position;
- total number of staff in the program area, now and in 1985, and reason for any difference;
- who is responsible for administering program area; if the band, when did it assume responsibility;
- what services are currently available on reserve.

2. Impact of Bill C-31 on services:
- What types of services do registrants, both on and off reserve require from bands?
- When band members enquire about these services, what are they told?
- What problems, if any, has the band had in responding to these requests?
- What impacts, if any, either positive or negative, have Bill C-31 registrants currently living on reserve or wishing to move to the reserve, had on child and family care services in the community?
- Overall, has the band been able to deal effectively with any additional pressures placed on these services in the community?
- Are there any further comments about Bill C-31 and how it has affected these services in the community?

The case study questionnaires directed to **regular band members** sought information on:

- what interviewees knew about Bill C-31 and Bill C-31 registrants;
- what changes, if any, the Bill and its registrants have had on the reserve in general and on specific programs such as housing;
- interviewee's knowledge and opinion of band membership rules (if any exist or are being prepared);
- interviewee's knowledge and opinion of band residency by-law (if one exists or is being prepared);
- impact of Bill C-31 on interviewee's family and own life; and
- any further comments.

The case study questionnaires directed to **Bill C-31 registrants living on reserve** sought information on:

- interviewee's registration;
- basic information on interviewee's household;
- services and benefits: opinions on entitlement, specific programs accessed, and any problems encountered in accessing services or benefits;
- interviewee's perceptions on acceptance by the community; and
- any further comments.

Telephone survey bands: This questionnaire sought information in five areas:

1. Descriptive information:
- interviewee's position and length of time in the position;
- change, if any, in band staff since 1985, and reason for any change;
- change, if any, in staff workload since 1985, and reason for any change; and
- conversion, if any, from part-time to full-time positions, and reason for any conversion.

2. Impact of Bill C-31 on programs:
- Which program areas (from a program-by-program list) have been impacted by Bill C-31?
- Which three of these have been the most impacted?
- For each of the three most impacted areas, how are the programs or services administered, and what have the impacts been?

3. Membership Rules:
- process by which rules were/are being developed; and
- who is/will be allowed to become a member under the rules.

4. Residency by-laws:
- process by which the by-law was/is being developed; and
- who is/will be allowed to reside on reserve under the by-law.

5. Final Comments:
- any further comments about Bill C-31 and how it has affected the community.

Telephone survey Tribal Councils: This questionnaire sought the following information:

- What changes, if any, have there been in tribal council staffing and workload over the last five years that are attributable to Bill C-31?
- What activities are conducted by the tribal council on behalf of its affiliated bands with regard to both the five advisory services on the basis of which tribal councils are funded and any other services it may provide?
- What has been the impact, if any, of Bill C-31 on the tribal council's capacity to assist member bands in each of the five advisory services and any other services it may provide?
- For each of the four most important areas, how has the tribal council responded to problems, if any, faced by Bill C-31 registrants?
- Are there any further comments about Bill C-31 and how it has affected the tribal? council

Off-reserve communities: The interview guide sought information regarding:

- aboriginal organizations off reserve;
- the relationship between these organizations and the community;
- the provision of services to native people off reserve; and
- the impacts of Bill C-31 on any of the above.

2.4 Analysis

The report notes that responses were examined using seven variables:

1. Region: as few bands were selected from the Yukon and NWT, these northern regions were jointly reported as British Columbia/Yukon and Alberta/NWT.

2. Population: The bands were divided into three categories (small, medium and large) for each of the following four variables:

   - o total band membership (including Bill C-31 registrants);
   - o total membership living on reserve and on Crown land;
   - o total Bill C-31 registrants in the band membership; and
   - o total Bill C-31 registrants as a percentage of total band membership.

   The categories were chosen so as to divide the sample roughly into thirds.

3. Access/latitude code

   The access code defines the distance, in kilometers, of the band from a service centre. A service centre is a community that has suppliers, materials and equipment, a pool of skilled and semi-skilled labour, at least one financial institution, and certain provincial and federal services such as health, social services, Canada Post and an Employment Centre. The index also defines whether year-round access to the band is by road or by air, rail or boat.

   The latitude code gives the latitude of the band within five degrees.

4. The existence of membership rules.

5. The existence of a residency by-law.

6. Affiliation with a tribal council.

7. Adherence to a treaty.

Similar analyses were conducted for the case study bands, except for the variable "region."

APPENDIX 3

PROFILE OF PARTICIPATING BANDS, TRIBAL COUNCILS AND OFF-RESERVE COMMUNITIES

APPENDIX 3

PROFILE OF PARTICIPATING BANDS, TRIBAL COUNCILS AND OFF-RESERVE COMMUNITIES

This appendix describes the bands, tribal councils and communities that participated in the study. In tables A3.1 to A3.6, the national figures are shown for comparison purposes. Data are for March 31, 1990. Appendices 4 and 5 contain further information relating to the case study bands.

BANDS

Location: The 137 bands that participated in this study include bands from all regions of Canada -- from the south to the far north and from urban, rural and isolated communities. Tables A3.1 to A3.3 show their distribution by DIAND region, by degrees latitude and by their method of access.

Demographics: Tables A3.4 to A3.6 are based on DIAND statistics. Discussion of the demographic data collected through the case studies is included in section 3 of the report.

The total populations of the sample bands ranged from 15 to several thousand. At case study bands, the on-reserve populations ranged from 2 to 2,400, and the number of Bill C-31 registrants ranged from 0 to 848. The telephone survey bands had similar ranges.

There is some variation regionally. For example, bands in B.C./Yukon are small in each of these categories, whereas in Saskatchewan, Manitoba and Quebec they were generally larger.

Total band population: As shown in Table A3.4, the sample was divided into small (1-300), medium (301-800) and large (>801) bands based on total band population. This breakdown was selected to yield close to one-third of the bands in each grouping.

On-reserve population: As shown in Table A3.5, the sample was similarly divided into small (1-150), medium (151-500) and large (>500) bands based on on-reserve population (including those living on Crown land).

Bill C-31 registrants: Table A3.6 shows the total number of Bill C-31 registrants as a percentage of the total band population.

Table A3.1

Distribution of Study Bands by DIAND Region

DIAND Region	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
B.C./Yukon	37	27	12	27	25	27	211	36
Alberta/NWT	17	12	5	11	12	13	48	8
Saskatchewan	18	13	6	13	12	13	68	12
Manitoba	15	11	4	9	11	12	60	10
Ontario	31	23	11	24	20	22	126	22
Quebec	12	9	4	9	8	9	39	7
Atlantic	7	5	3	7	4	4	31	5
Total	137	100	45	100	92	100	593	100

Source: DIAND

Table A3.2

Distribution of Study Bands by Latitude

Degrees Latitude North	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
South of 45°	5	4	3	7	2	2	21	4
45-50°	45	33	16	36	29	32	206	43
50-55°	53	39	17	38	36	39	255	43
55-60°	24	17	6	13	18	20	67	11
60-65°	3	2	2	4	1	1	23	4
North of 65°	2	1	0	0	2	2	8	1
Data unavailable	5	4	1	2	4	4	13	2
Total	137	100	45	100	92	100	593	100

Source: DIAND

Table A3.3

Distribution of Study Bands by Method of Access

Method of Access	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
All-year road								
<50 km*	39	28	16	35	23	25	181	31
50-350*	62	45	21	47	41	45	268	45
>350 km*	9	7	1	2	8	8	25	4
Sub-Total	**110**	**80**	**38**	**85**	**72**	**78**	**474**	**80**
By air, boat, rail	22	16	13	13	18	18	106	18
Data unavailable	5	4	2	2	4	4	13	2
Total	**137**	**100**	**45**	**100**	**92**	**100**	**593**	**100**

Source: DIAND

* number of kilometers from a service centre, which is defined as a community that has suppliers, materials and equipment, a pool of skilled and semi-skilled labour, at least one financial institution, and certain provincial and federal services.

Table A3.4

Distribution of Study Bands
by Total Band Population
(March 31, 1990)

Total Band Population	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
Small (1-300)	38	28	10	22	28	30	194	33
Medium (301-800)	48	35	17	38	31	34	214	36
Large (>800)	51	37	18	40	33	36	185	31
Total	137	100	45	100	92	100	593	100

Source: DIAND

Table A3.5

Distribution of Study Bands
by On-reserve Population
(March 31, 1990)

On-reserve Population	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
0	3	2	0	0	3	3	35	6
Small (1-150)	41	30	10	22	31	34	202	34
Medium (150-500)	49	36	16	36	33	36	196	33
Large (>500)	44	32	19	42	25	27	160	27
Total	137	100	45	100	92	100	593	100

Source: DIAND

Table A3.6

Bill C-31 Registrants
as a Percentage of Total Band Population
(March 31, 1990)

Percentage of Registrants	Total Study Bands		Case Study Bands		Telephone Survey Bands		National Total Bands	
	#	%	#	%	#	%	#	%
0	3	2	1	2	2	2	20	3
1-9%	46	33	16	36	30	33	223	38
10-19%	41	30	13	39	28	31	175	30
20-29%	23	17	6	13	17	18	78	13
>29%	24	18	9	20	15	16	97	16
Total	137	100	45	100	92	100	593	100

Source: DIAND

The percentages in the survey are comparable with national percentages except that more case studies than would be suggested by the national figures were conducted at bands with a large on-reserve population, and none at bands with no on-reserve population. In part this reflects the fact that it was not sensible to conduct case studies where noone was living on reserve.

Table A3.6 shows that the study included a large number of bands where the Bill C-31 population is 20% or more of the total band population at the same date.

Membership rules: Thirty-eight (41%) of the 92 telephone survey bands reported having membership rules in place and 28 (38%) are in the process of preparing them. This accords with DIAND records. There are some regional variations among bands with rules in place. For example, in Saskatchewan, nine of the 12 sample bands have rules, compared with only one out of eight in Quebec. Fewer remote bands reported having membership rules. However, because of the small number of remote bands, this may be sample-specific. With regard to total band population, a higher percentage of small (12/28, 43%) and mid-size (16/31, 52%) bands currently have membership rules. More of the larger sized bands do not have and are not preparing membership rules.

According to DIAND statistics, 17 (38%) of the 45 case study bands have membership rules in place and 27 (60%) do not (information is not available for one band). The records show no decision dates prior to June 28, 1987; however, some may have been retroactive. By comparison, the case studies show 15 (33%) of the 45 bands reporting they have rules in place, of which eight became effective prior to June 28, 1987. Two bands have revised their rules since they were approved. Six (13%) case study bands reported that they submitted rules that were disallowed; six bands (13%) are currently discussing membership rules (including two bands where rules were previously disallowed). Thirteen bands (29%) have discussed the possibility of drafting membership rules, but nothing materialized and there is no current action and six bands (13%) reported that they have not discussed membership rules at all.

Residency by-laws: Five (11%) of the 45 case study bands and 21 (23%) of the 92 telephone survey bands reported having a residency by-law. Some of these were in place before Bill C-31 was passed. Another 27 (29%) telephone survey bands and four (9%) case study bands were in the process of preparing residency by-laws. For the case study bands, none reported that they have revised their by-law and none reported that a by-law has been disallowed; 13 (29%) have discussed such a by-law in the past, but the issue is not currently active; and 23 (51%) have never discussed the matter. Among the telephone survey bands, the only significant factor seems to be that a greater number of bands within 50 km of a service centre (7/23, 30%) currently have residency by-laws.

Liquor by-laws: Questions relating to liquor by-laws were asked at 33 case study bands. Of these, eight (24%) bands have a by-law in place (no revisions were reported); one (3%) reported that its proposed by-law had been disallowed (but gave no date), 21 (64%) bands have never discussed such a by-law, three (9%) have discussed this matter but without any concrete results. As with residency by-laws, some liquor by-laws were in place before Bill C-31 was passed.

Treaty adherence: Twenty-five (56%) of the 45 case study bands and 42 (46%) of the 92 telephone survey bands are signatories to a treaty. None of the sample bands in B.C./Yukon and very few in Quebec and Atlantic regions are treaty signatories. By comparison, most of the sample bands in Alberta/NWT, Saskatchewan and Manitoba, and over half of them in Ontario adhere to a treaty.

Tribal council affiliation: The majority of bands in all regions are members of a tribal council that is funded by DIAND: 34 (76%) of the 45 case study bands, one of which belongs to two councils, and 69 (75%) of the 92 telephone survey bands. In addition to the standard five services provided by tribal councils, many case study bands reported receiving additional services, such as land claims, political representation and delivery of specific programs (most frequently membership, post-secondary education and economic development). Some bands noted that funding for either all or part of their programs is channelled through their tribal council.

The following information relates to the 45 case study bands only.

Political structure: Most bands follow a hierarchical arrangement, with the administration reporting to the political level, which in turn reports to the band membership.

By far the majority of bands, 37 (82%), have an elected chief and council. Only three (7%) chiefs are hereditary, and five (11%) are custom chiefs who generally hold office at the pleasure of the membership.

Sections 74-80 of the *Indian Act* govern elections of chiefs and band councils. Essentially, there will be a chief, and one councillor for every 100 band members, with a minimum of two and a maximum of 12; no band shall have more than one chief. Councillors are to be elected by a majority of voters; voters are band members 18 years of age and older, ordinarily resident on reserve. Chiefs and councillors hold office for two years. The case studies reported some variations from these rules. For example, two bands reported that elections are held every 3 years, and one band is considering moving to elections every four years. Some bands reported that voting age starts at 19, at another, 21 years of age. At some bands, voters may reside both on- and off-reserve.

The length of time chiefs have been in their position varies from a matter of months to 21 years in the case of one custom chief. Many chiefs have served more than one term. For the most part, the political structure of bands appears to be stable. Only four bands report otherwise; in one case, a custom band, the chief has been replaced "several times in the last six months"; at another band there is currently no chief or band manager. Only two bands report political instability resulting from Bill C-31.

Council meetings are held at varying frequencies, ranging from "daily" to weekly, twice-weekly, or monthly. Twenty-one (47%) councils hold open meetings; meetings of 16 (36%) councils are closed, for most if not all of the time. Sometimes this is due to lack of space, sometimes to the agenda items. General meetings also vary: some bands hold only one annual meeting of the band; others have closed council meetings but frequent general meetings up to once a month, for the entire membership.

Administration: Almost invariably the administration is headed by a band manager (also called director, chief of operations). Only one band reported a vacancy. The period of time band managers have held the position varies from a few months to 18 years. Even those with less experience as band manager often have many more years' experience with band administration. The study found that band administrations are generally experienced and stable. A couple of bands have less experienced staff because they are only now starting to assume responsibility for program management. Only the band that currently has no chief or band manager reported an unstable administration.

The number of staff reporting to the administration varies greatly, from 1 to 136. Typically, in addition to the band manager there are officers for each program area. In smaller bands, staff frequently assume two or more portfolios. Where bands administer their own education and health programs, these staff are band employees.

Fifteen (33%) case study bands reported affiliation with some organization other than a DIAND-financed tribal council. These organizations include tribal councils not funded by DIAND and organizations concerned with education, child and family care, native health and economic development arrangements.

Program delivery and funding: By far the majority of programs and services are delivered by the case study bands themselves (see Table A3.7). Some bands reported joint delivery arrangements, generally involving themselves and a tribal council, provincial government or federal department. Such arrangements are most frequently found in the areas of education, health and child care.

Funding arrangements depend to a large extent on the method of program delivery. Several bands reported alternative funding arrangements (AFAs) for all or some of their programs. Others reported contribution arrangements and direct funding by DIAND or Health and Welfare Canada for health services.

Table A3.7

Program Delivery Mechanisms
Case Study Bands

Program	Delivery Mechanism								
	Band	Tribal Council	Federal Govt.**	Prov. Govt.	Joint*	Other	Municipal	Not Delivered	Not Available
Housing and Infrastructure	41	1			3				
Post-Secondary	18	10	9	2	1	3		1	1
Kinder., Elementary Secondary Education	16	1	6	3	16	2		1	
Social Assistance	39	2		1	3				
Child and Family Care	19	2		5	7	5		7	
Care for Seniors	23				1	1		19	1
Health Care	18	1	3	1	17	1		4	
Drug and Alcohol	30	3			7	1		4	
Economic Development	30	6	2		2	1		3	1
Policing	11		16	6	7		1	4	
Fire	25	1		2	3		8	6	

Source: Case Studies

Notes: * Generally DIAND, but for Health Care Services, it is Health and Welfare Canada, and for Policing, the RCMP.

** Depending on the program, joint arrangements exist between bands and tribal councils, bands and government, and bands and other organizations. In a few instances, primarily child and family care services, tripartite arrangements exist between bands and the provincial and federal governments.

TRIBAL COUNCILS

The 60 tribal councils funded by DIAND exist in all regions except the two northern territories. (Other organizations also known as tribal councils but not funded by the department were excluded from the study.) Tribal councils may have as few as two or as many as 16 member bands.

To receive government funding, a tribal council must provide its affiliated bands with advisory services in five areas: band government, financial management, economic development, community planning and technical services. Some of the sample tribal councils are also active in other areas (see Table A3.8).

Ten of the 11 tribal councils interviewed were funded on the five advisory services, the eleventh had an alternative funding arrangement.

OFF-RESERVE COMMUNITIES

The 10 off-reserve communities participating in this study come from all regions of Canada, except Yukon. There were two communities each from the Maritimes and Alberta, and one each from Quebec, Ontario, Manitoba, Saskatchewan, British Columbia and the NWT. Some of these communities are fairly remote, accessible only by air or gravel road. Others could be considered small urban centres. Several are adjacent to Indian bands. Two consist of people who share a community of interests or family ties but who reside throughout a fairly large rural region.

Most of these communities have a large percentage of native people. In many cases, these people were non-status Indians or Métis before 1985, but have since been recognized as or are about to be recognized as status Indians.

Although each community is distinct from the others, there are some similarities. For example, many of the native residents of these communities have roots that tie them with reserves and bands other than the neighbouring reserve and band. And many of the residents have no desire to leave their home community or the locality.

APPENDIX 4

CASE STUDY BANDS: ADDITIONAL PROFILE - 1

CASE STUDY BANDS: ADDITIONAL PROFILE - 1

This appendix presents in tabular format information selected from the case study reports relating to:

Table #

A4.1 Interview Frequencies
A4.2-5 Demographic Profiles
A4.6 Political Profile
A4.7 Band Affiliations
A4.8 Administration
A4.9 Membership Rules
A4.10 Residency By-laws
A4.11 Liquor By-laws
A4.12 Kindergarten, Elementary and Secondary Education
A4.13 Housing Administration
A4.14 Housing Stock, Housing Requirements and Waiting Lists

Table A4.1: Interview Frequencies

Band Case Study Number	Interviews: Total	Band Officials	Regular Band Members	Bill C-31 Registrants	Other*
1	15	10	3	2	
2	16	12	2	2	
3	20	12	4	4	
4	25	16	4	4	1
5	18	9	4	3	2
6	20	16	3	1	
7	21	15	3	3	
8	20	10	5	3	2
9	10	5	3	2	
10	14	12	2		
12	17	11	3	3	
13	21	11	6	3	1
14	18	10	4	4	
15	14	10	3	1	
17	16	9	3	4	
18	5	3	1	1	
19	11	7	2	2	
20	15	7	4	4	
21	11	9	1	1	
22	12	8	3	1	
23	20	15	4	1	
24	22	14	4	4	
25	17	13	3	1	
26	14	5	2	2	5
27	16	8	4	4	
28	11	6	2	2	1
29	18	12	3	3	
30	18	10	4	4	
32	7	5	1	1	
33	21	12	4	3	2
34	9	5	2		2
35	10	5	1	4	
36	15	6	7		2
37	17	13	3	1	
38	25	15	3	4	3
39	20	12	3	4	1
40	6	5	1		
41	6	4	1	1	
42	18	11	4	3	
43	21	12	5		4
44	10	9			1
45	12	7	2	2	1
46	21	6	12		3
47	18	13	2	3	
48	12	5	3	3	1
Total	703	430	143	98	32

Source: Case Studies

Note: * Includes principals, nurses etc.

Table A4.2: Bill C-31 Registrants On-Reserve
Expressed as a Percentage of the Total Band Population

Band Case Study Number	Calculation 1 *	Calculation 2 **
1	4%	4%
2	5%	5%
3	1%	1%
4	6%	6%
5	1%	1%
6	5%	5%
7	7%	7%
8	3%	3%
9	4%	4%
10	0%	0%
12	1%	1%
13	2%	2%
14	15%	14%
15	1%	1%
17	2%	2%
18	0%	0%
19	20%	20%
20	5%	5%
21	2%	2%
22	<1%	<1%
23	<1%	<1%
24	14%	14%
25	1%	1%
26	3%	3%
27	6%	6%
28	2%	2%
29	3%	3%
30	3%	3%
32	24%	20%
33	1%	1%
34	0%	0%
35	0%	0%
36	0%	0%
37	NA	NA
38	1%	1%
39	2%	2%
40	0%	0%
41	15%	16%
42	<1%	<1%
43	0%	0%
44	3%	3%
45	1%	0%
46	0%	16%
47	19%	1%
48	1%	

Source: * Figures for Bill C-31 registrants: Case Studies
Figures for Total Population: DIAND
** Figures for Bill C-31 Registrants: Case Studies
Figures for Total Population: Case Studies
NA: Not available or not know

DEMOGRAPHIC PROFILE

Table A4.3: Bill C-31 Registrants On-Reserve
Expressed as a Percentage of the Total Band Population

Band Case Study Number	Calculation 1 *	Calculation 2 **
1	31%	34%
2	15%	12%
3	11%	10%
4	46%	46%
5	10%	33%
6	17%	15%
7	33%	31%
8	17%	18%
9	41%	56%
10	0%	0%
12	10%	9%
13	11%	11%
14	32%	31%
15	9%	11%
17	10%	10%
18	0%	0%
19	65%	65%
20	28%	33%
21	33%	33%
22	1%	2%
23	7%	7%
24	57%	57%
25	8%	9%
26	16%	11%
27	42%	47%
28	40%	40%
29	26%	26%
30	40%	33%
32	55%	40%
33	15%	15%
34	0%	0%
35	0%	NA
36	***	***
37	NA	NA
38	4%	50%
39	5%	6%
40	0%	0%
41	35%	30%
42	2%	2%
43	0%	***
44	39%	39%
45	5%	7%
46	0%	***
47	51%	50%
48	10%	57%

Source: * Figures for Bill C-31 Registrants: Case Studies
Figures for Total C-31 Registrants: DIAND
** Figures for Bill C-31 Registrants: Case Studies
Figures for Total C-31 Registrants: Case Studies

Notes: *** Total C-31 Registrants is zero
NA: Not available or not know

DEMOGRAPHIC PROFILE

Table A4.4: Bill C-31 Registrants On Reserve, At Reserve and To Reserve Expressed as a Percentage of Total Band Population Living on Reserve

Band Case Study Number	On Reserve *	At Reserve *	To Reserve *
1	6%	3%	4%
2	10%	10%	1%
3	1%	1%	0%
4	8%	6%	2%
5	1%	1%	<1%
6	9%	5%	5%
7	13%	2%	11%
8	6%	4%	2%
9	6%	1%	5%
10	0%	0%	0%
12	2%	2%	<1%
13	3%	1%	2%
14	26%	NA	Na
15	1%	1%	0%
17	6%	1%	5%
18	0%	0%	0%
19	28%	21%	7%
20	8%	0%	8%
21	3%	NA	NA
22	<1%	0%	<1%
23	<1%	<1%	0%
24	20%	8%	12%
25	1%	1%	0%
26	4%	2%	2%
27	7%	0%	7%
28	2%	2%	0%
29	4%	2%	2%
30	4%	4%	0%
32	33%	0%	33%
33	2%	<1%	2%
34	0%	0%	2%
35	0%	0%	0%
36	0%	0%	0%
37	NA	NA	NA
38	3%	3%	0%
39	3%	1%	3%
40	0%	0%	0%
41	30%	4%	26%
42	<1%	<1%	0%
43	0%	0%	0%
44	6%	0%	6%
45	2%	0%	2%
46	0%	0%	0%
47	52%	31%	21%
48	2%	1%	<1%

Source: Case Studies

Notes:* On Reserve: Bill C-31 registrants currently living on reserve

At Reserve: Bill C-31 registrants who lived on reserve at the time of their registration

To Reserve: Bill C-31 registrants who moved to the reserve after they were registered

NA: Not available or not known

Table A4.5: Bill C-31 Registrants At Reserve and To Reserve
Expressed as a Percentage of the Bill C-31 Population On Reserve

Band Case Study Number	At Reserve *	To Reserve *
1	41%	59%
2	**100%	**12%
3	100%	0%
4	78%	22%
5	88%	13%
6	50%	50%
7	15%	85%
8	68%	32%
9	16%	84%
10	****	****
12	82%	18%
13	25%	75%
14	NA	NA
15	***125%	0%
17	14%	86%
18	****	****
19	75%	25%
20	0%	100%
21	NA	NA
22	0%	100%
23	100%	0%
24	40%	60%
25	100%	0%
26	50%	50%
27	0%	100%
28	100%	0%
29	50%	50%
30	100%	0%
32	0%	100%
33	14%	86%
34	****	****
35	****	****
36	****	*****
37	NA	NA
38	100%	0%
39	21%	79%
40	****	****
41	13%	87%
42	100%	0%
43	****	****
44	0%	100%
45	0%	100%
46	****	****
47	60%	40%
48	75%	25%

Source: Case Studies

Notes: *At Reserve: Bill C-31 registrants who lived on reserve at the time of their registration
To Reserve: Bill C-31 registrants who moved to the reserve after their registration
** Figures reported in case study do not add
*** Inclues people who have moved
**** No bill c-31 registrants living on reserve
NA: Not available or not know

Table A4.8: Political Profile

Band Case Study Number	Chief			Council			Council Meetings		General Meetings
	Appointment mode	Election Frequency (years)	Years in Position	Size 1969	Size 1985	Change in Size Due to Bill C-31	Number Per Year	Open to Members	Number Per Year
01	ELECTED	2	5	4	NA	Y	12	Y	NA
02	ELECTED	2	NA	NA	NA	Y	NA	NA	2
03	ELECTED	3	3	11	11	N	24	N	5
04	ELECTED	2	2	10	8	Y	12	Y	NA
05	ELECTED	2	NA	9	NA	NA	52	N	6
06	ELECTED	2	NA	9	7	Y	24	NA	NA
07	ELECTED	2	6	7	5	Y	12	NA	1
08	HEREDITARY		13	11	6	Y	24	N	2
09	HEREDITARY		NA	5	NA	NA	NA	N	9
10	ELECTED	2	NA	4	4	N	365	Y	0
12	ELECTED	2	1	10	8	Y	26	Y	12
13	ELECTED	2	5	11	11	N	12	Y	0
14	ELECTED	2	NA	4	NA	NA	52	N	7
15	ELECTED	2	1	5	5	N	NA	Y	1
17	ELECTED	2	1	5	5	N	12	N	4
18	CUSTOM		14	1	1	N	0	NA	0
19	ELECTED	2	4	4	3	Y	24	N	4
20	ELECTED	2	8	13	13	N	12	N	12
21	ELECTED	2	NA	3	3	N	NA	Y	12
22	ELECTED	2	NA	9	9	N	24	Y	1
23	ELECTED	2	1	11	NA	NA	NA	NA	12
24	ELECTED	2	1	13	9	Y	24	Y	NA
25	CUSTOM		16	9	7	Y	12	NA	1
26	ELECTED	2	4	3	3	N	12	Y	6
27	ELECTED	2	2	6	NA	Y	52	N	12
28	ELECTED	2	1	3	3	N	NA	N	3
29	ELECTED	2	2	7	5	Y	52	Y	4
30	ELECTED	4	3	5	5	N	26	NA	5
32	ELECTED	2	NA	3	3	N	12	Y	12
33	ELECTED	2	1	5	5	N	12	N	4
34	ELECTED	2	NA	5	NA	NA	12	Y	12
35	HEREDITARY		21	3	3	N	12	N	0
36	ELECTED	3	3	3	NA	N	12	N	0
37	ELECTED	2	2	13	NA	NA	26	Y	1
38	ELECTED	2	2	13	NA	NA	12	Y	4
39	ELECTED	2	1	7	NA	NA	52	N	1
40	CUSTOM	2	2	3	3	N	24	Y	NA
41	ELECTED	2	NA	3	3	N	NA	Y	NA
42	ELECTED	2	NA	13	NA	NA	12	Y	4
43	CUSTOM		*0	7	NA	N	100	N	2
44	ELECTED	2	2	3	3	N	12	NA	5
45	ELECTED	2	4	3	NA	NA	24	N	4
46	CUSTOM		*0	7	NA	N	26	Y	12
47	CUSTOM		2	6	5	N	26	Y	1
48	ELECTED	2	2	7	5	N	24	Y	12

Source: Case Studies

Notes: Y: Yes N: No, NA: Not available or not know, * High turnover (approx. two months each)

Table A4.7: Band Affiliations

Band Case Study Number	Tribal Council Membership	Other Affiliation	Adherence to a Treaty
01	Y	Y	Y
02	Y		
03	Y	Y	Y
04	Y		Y
05	Y	Y	Y
06			Y
07	Y		Y
08	Y		
09	Y		
10	Y		Y
12	Y		Y
13			
14	Y		
15	Y	Y	Y
17	Y		Y
18	Y	Y	
19	Y		
20	Y		Y
21	Y		
22	Y		Y
23	Y	Y	Y
24			
25	Y	Y	
26	Y		Y
27	Y		Y
28	Y	Y	
29	Y		Y
30		Y	
32	Y		
33	Y		
34	Y		Y
35	Y		Y
36	Y		Y
37			
38		Y	Y
39	Y		
40	Y		Y
41	Y		
42	Y		Y
43		Y	Y
44		Y	
45	Y		
46		Y	Y
47		Y	
48		Y	Y
Total	34	15	25

Source: Case Studies

Notes: Y: Yes, Blanks: No

Table A4.8: Administration

Band Case Study Number	Years band Manager in Position*	Total Band 1985	Band Staff 1989	Staff Change due to Bill C-31
01	4	28	30	N
02	4	8	29	N
03	0	NA	39	N
04	7	117	85	N
05	7	80	136	N
06	2	40	40	N
07	18	16	27	N
08	8	5	9	Y
09	8	NA	15	Y
10	2	1	1	N
12	4	NA	NA	NA
13	2	28	37	N
14	14	6	6	N
15	9	11	15	Y
17	2	5	9	•••
18	9	•••	•••	N
19	11	17	17	Y
20	8	10	17	N
21	1	3	3	N
22	9	3	3	N
23	1	11	15	Y
24	7	46	92	NA
25	1	NA	44	N
26	4	6	11	N
27	1	NA	NA	N
28	3	8	9	Y
29	2	12	18	N
30	1	22	27	N
32	5	5	5	N
33	3	49	49	N
34	••	NA	NA	NA
35	7	2	5	N
36	NA	NA	NA	N
37	15	50	52	N
38	2	36	54	N
39	2	101	101	N
40	1	9	9	N
41	NA	4	4	N
42	13	10	15	N
43	NA	NA	13	N
44	3	10	10	N
45	2	4	7	N
46	4	NA	5	N
47	1	11	23	Y
48	2	5	18	N

Source: Case Studies

Notes: * Months rounded up to nearest year

** Position currently vacant

*** Band administered by Area Administration

Y: Yes, N: No, NA: Not available or not know

Table A4.9: Membership Rules

Band Case Study Number	Membership Rules						
	Never Discussed	Discussed Only	Disallowed	Being Discussed	In Place	Effective Before June 28/87	Revised
01		Y					
02				Y			
03	Y						
04					Y	Y	
05					Y		
06		Y					
07		Y					
08					Y		
09					Y	Y	
10		Y					
12		Y					
13		Y					
14			Y				
15					Y	Y	
17					Y	Y	Y
18					Y	Y	
19		Y					
20			Y				
21					Y		
22	Y						
23	Y						
24		Y					
25				Y			
26					Y		
27			Y				
28		Y					
29			Y				
30	Y						
32					Y		
33				Y			Y
34					Y	Y	
35					Y		
36	Y						
37				Y			
38					Y	Y	
39		Y					
40		Y					
41		Y					
42			Y	Y			
43					Y		
44		Y					
45			Y	Y			
46	Y						
47					Y	Y	
48		Y					
Total	6	14	6	6	15	8	2

Source: Case Studies

Notes: Y: Yes, Blanks: No

Table A4.10: Residency By-Laws

Band Case Study Number	Residency By-Laws					
	Never Discussed	Discussed Only	Disallowed	Being Discussed	In Place	Revised
01	Y					
02				Y		
03	Y					
04		Y				
05		Y				
06	Y					
07	Y					
08	Y					
09				Y		
10		Y			Y	
12	Y					
13				Y		
14						
15	Y					
17	Y					
18		Y				
19		Y				
20		Y				
21	Y					
22	Y					
23					Y	
24		Y				
25					Y	
26	Y					
27	Y					
28	Y					
29		Y				
30				Y		
32	Y					
33	Y					
*34						
35					Y	
36	Y					
37		Y				
38						
39	Y				Y	
40	Y					
41	Y					
42		Y				
43	Y					
44		Y				
45		Y				
46	Y					
47	Y					
48	Y					
Total	23	12	0	4	5	0

Source: Case Studies

Notes: Y: Yes, Blanks: No, * Not known

Table A4.11: Liquor By-Laws

Band Case Study Number	Liquor By-Laws					
	Never Discussed	Discussed Only	Disallowed	Being Discussed	In Place	Revised
02	Y					
03	Y					
07					Y	
08					Y	
10	Y					
12		Y				
14					Y	
15					Y	
18	Y					
19	Y					
21	Y					
22	Y					
23					Y	
24	Y					
25	Y					
26	Y					
27	Y					
28	Y					
29	Y					
30	Y					
32	Y					
33					Y	
34	Y					
36	Y					
37		Y				
39		Y				
40	Y					
41	Y					
43					Y	
45					Y	
46	Y					
47	Y					
48			Y			
Total	21	3	1	0	8	0

Source: Case Studies

Notes: Y: Yes, Blanks: No

Table A4.12: Kindergarten, Elementary and Secondary Education

Band Case Study Number	Band Administration of Education					Education Staff			
	Grades on Reserve	Kindergarten/ Elementary By Band	Years**	Secondary By Band	Years**	1985	1989	Change due to bill C-31	Years* Senior Staff in Position
01	K-8	Y	8	N	9	11	N	1	
02	K	Y	10	Y	10	NA	2	NA	12
03	K-11	N		N	NA	NA	N	6	
04	K-9	Y	13		13	6	6	N	1
05	K-12	Y	9	Y	9	80	100	N	4
06	K-3	Y	18	Y	18	5	7	Y	2
07	0	Y	15	Y	15	4	4	N	14
08	K-7	Y	11	Y	11	NA	25	NA	10
09	K-6	N		N		0	0	N	0
10	0	N		N	0	0	N	0	
12	K-2	Y	15	Y	15	2	2	N	17
13	0	Y	NA	N	1	1	N	1	
14	0	Y	NA	Y	NA	NA	2	N	3
15	K-6	Y	2	N	1	1	N	2	
17	K-6	Y	NA	N	6	6	N		
18	0	N		N	0	0	N	0	
19	K-7	Y	NA	Y	NA	NA	8	N	N
20	K-9	Y	10	Y	10	65	90	N	2
21	0	N		N	0	0	N	0	
22	K	N		N	1	1	N	6	
23	K-10	N		N	1	2	N	1	
24	K-6	Y	12	Y	12	14	14	N	7
25	K-8	Y	10	Y	10	17	17	N	1
26	K-9	N		N	0	0	N	0	
27	K-9	Y	5	Y	5	4	4	N	1
28	0	Y	10	Y	10	1	1	N	2
29	K-1	Y	8	Y	8	1	2	N	8
30	K-12	N		N	2	6	N	7	
32	0	N		N	1	1	N	3	
33	K-10	Y	15	Y	15	19	19	N	1
34	K-9	N		N	NA	13	NA	0	
35	0	N		N	0	0	N	0	
36	K-8	N		N	5	5	N	NA	
37	K-6	N		N	1	1	N	2	
38	K-12	Y	10	Y	10	11	12	N	4
39	K-6	Y	10	Y	10	30	30	N	6
40	0	N		N	1	1	N	1	
41	0	N		N	1	1	N	0	
42	K	Y	5	N	5	3	N	5	
43	K-10	Y	2	Y	1	NA	33	N	NA
44	K-8	Y	1	NA	NA	6	11	N	1
45	0	Y	3	Y	3	1	NA	N	2
46	K-8	Y	NA	N	NA	NA	N	NA	
47	K-9	Y	NA	NA	1		1	N	1
48	K-7	Y	NA	NA	8	8	N	2	

Source: Case Studies

Notes: * Months rounded up to years

** Years administered by band

Y: Yes, N: No, NA: Not available or not know

Table 4.13: Housing Administration

Band Case Study Number	Band Administration of Housing			Housing Staff		
	By Band	Years Administered By Band	1985	1989	Change Due to Bill C-31	Senior Staff in Position
01	Y	3	12	16	Y	NA
02	Y	5	0		N	4
03	Y	NA	6	6	N	6
04	Y	20	22	11	N	1
05	Y	20	0	3	N	1
06	Y	NA	NA	9	NA	2
07	Y	8	1	1	N	8
08	Y	20	6	14	Y	1
09	Y	10	1	1	Y	8
10	Y	10	1	1	N	3
12	Y	NA	NA	NA	NA	1
13	Y	NA	2	2	N	NA
14	Y	NA	NA	1	N	12
15	N		0	0	N	NA
17	Y	NA	10	20	Y	1
18	Y	10	1	1	N	9
19	Y	8	1	13	N	8
20	Y	8	50	100	Y	4
21	N		0	0	N	0
22	Y	5	1	1	N	4
23	Y	NA	1	1	N	4
24	Y	11	7	17	Y	4
25	Y	15	5	13	N	3
26	Y	20	1	1	N	4
27	Y	5	2	2	N	2
28	Y	4	0	0	N	0
29	Y	24	6	6	N	1
30	Y	10	1	1	N	3
32	N		0	0	N	0
33	Y	10	5	9	N	1
34	Y	10	NA	NA	N	5
35	Y	NA	1	1	N	7
36	Y	NA	NA	NA	N	NA
37	Y	NA	21	21	N	NA
38	Y	12	1	1	N	3
39	Y	15	4	5	N	14
40	Y	NA	0	0	N	0
41	Y	NA	0	0	N	NA
42	Y	8	1	5	N	8
43	Y	NA	NA	NA	N	NA
44	Y	10	0	0	N	10
45	Y	20	NA	3	N	4
46	Y	NA	1	1	N	4
47	Y	NA	1	1	N	1
48	Y	5	1	1	N	2

Source: Case Studies

Notes: * Months rounded up to years

Y: Yes, N: No, NA: Not available or not known

Table 4.14: Housing Stock, Housing Requirements and Waiting Lists

Band Case Study Number	Current Housing Stock						Housing Requirements		Waiting List		
				Condition of Housing							
	Total Number Houses	# Occupied by Bill C-31 Registrants	Satis	Upgrade	Replace	Total	Regular Band Members	Bill C-31 Registrants	Separate List Bill C-31	Average Wait Regular	Average Wait Bill C-31
01	78	4	55%	20%	19%	40	30	10	N	2	2
02	45	4	75%	20%	5%	94	44	50	NA	NA	NA
03	230	NA	60%	40%	0%	90	NA	NA	N	Na	NA
04	300	12	70%	30%	0%	30	NA	NA	N	Na	NA
05	300	NA	30%	50%	20%	NA	100	NA	NA	5	NA
06	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
07	134	24	90%	10%	0%	120	81	39	N	3	3
08	150	NA	70%	20%	10%	90	54	36	Y	6	1
09	112	Na	70%	20%	10%	40	33	7	Y	3	1
10	40	0	55%	25%	20%	25	13	12	N	3	NA
12	200	2	60%	30%	10%	15	12	3	N	2	2
13	180	0	50%	45%	5%	NA	NA	1	N	3	NA
14	49	7	50%	40%	5%	5	0	5	N	2	2
15	107	1	25%	50%	25%	32	30	2	N	3	NA
17	83	8	10%	20%	70%	70	40	30	N	3	3
18	2	1	100%	0%	0%	10	0	20	NA	NA	NA
19	100	8	50%	45%	5%	68	28	38	Y	NA	NA
20	411	24	30%	50%	30%	300	NA	NA	Y	8	1
21	23	0	80%	10%	10%	3	3	0	N	3	NA
22	70	1	30%	40%	40%	NA	NA	2	N	NA	NA
23	400	1	10%	50%	40%	30	26	4	N	3	3
24	236	31	50%	42%	8%	180	75	105	Y	5	5
25	200	2	60%	20%	20%	NA	60	NA	N	5	2
26	70	14	50%	25%	25%	35	23	12	NN	2	2
27	85	5	40%	30%	30%	40	20	20	N	2	2
28	44	1	100%	0%	0%	17	15	2	Y	2	2
29	104	NA	60%	40%	0%	20	14	6	Y	1	1
30	101	NA	70%	15%	15%	17	15	2	N	3	NA
32	36	7	34%	0%	66%	36	12	14	Y	5	3
33	78	NA	50%	45%	5%	92	82	10	Y	10	10
34	70	Na	25%	75%	0%	NA	NA	NA	N	3	NA
35	7	0	100%	0%	0%	NA	NA	NA	N	5	NA
36	45	0	45%	10%	45%	15	15	0	N	3	NA
37	400	0	5%	75%	20%	300	300	0	N	10	0
38	278	NA	70%	20%	10%	60	NA	NA	N	2	NA
39	418	29	NA	NA	NA	182	164	18	N	NA	NA
40	23	0	100%	0%	0%	NA	NA	1	N	3	NA
41	38	13	30%	60%	10%	28	10	18	N	1	1
42	174	1	50%	25%	25%	82	75	7	N	4	4
43	NA	0	NA	NA	NA	NA	NA	0	N	NA	NA
44	80	1	0%	75%	25%	NA	NA	10	N	3	NA
45	50	3	70%	0%	30%	31	20	11	Y	8	1
46	200	0	40%	30%	30%	NA	NA	0	N	4	NA
47	66	33	30%	35%	35%	35	4	31	Y	4	4
48	82	4	30%	20%	50%	70	NA	NA	N	10	NA

Source: Case Studies Notes: Y: Yes, N: No, NA: No

APPENDIX 5

CASE STUDY BANDS: ADDITIONAL PROFILE - 2

APPENDIX 5

CASE STUDY BANDS: ADDITIONAL PROFILE - 2

This appendix presents the data provided by the bands on the data collection forms that were attached to the case study questionnaires. Data were collected on the following subjects.

Table #

A5.1 Post-secondary Student Support Program
A5.2 Kindergarten, Elementary, Secondary School Enrolment
A5.3 Social Assistance Recipients
A5.4 Social Development Programs Participants
A5.5 Child and Family Care Services Clientele
A5.6 Senior Citizens Services Clientele
A5.7 Health Services Clientele
A5.8 On-Reserve Labour Force Employment Levels
A5.9 On-Reserve Labour Force Education Levels

Only those bands that provided sufficient information are included in the tables. The criterion for inclusion is noted under "Source" at the bottom of each table.

EDUCATION PROFILE

Table A5.1: On-Reserve Band Members Receiving Post-Secondary Student Support Program Funding, Academic Years 1984-85 and 1989-90

Band Case Study Number	STUDENTS RECEIVING PSSSP FUNDING				
	1984-85 Regular Band Members	1989-90 Regular Band Bill C-31			C-31 as a Percentage of Total 1989-90
		Members	Registrants	Total	
1		7	0	7	0%
2		29	17	46	37%
3		17	0	17	0%
4	21	39	4	43	9%
5	37	82	3	85	4%
6	25	37	14	48	29%
7	20	38	13	51	25%
8		29	4	33	12%
9	8	3	0	3	0%
10	20	10	0	10	0%
12	20	26	5	31	16%
13	25	23	1	24	4%
14	8	6	6	12	50%
15		14	1	15	7%
17		3	1	4	25%
18		0	3	3	100%
19		7	7	14	50%
20		80	21	101	21%
21	5	3	0	3	0%
22	4	10	0	10	0%
23		33	1	34	3%
24		76	34	110	31%
25	12	15	7	22	32%
27		1	0	1	0%
28	0	5	1	6	17%
29		1	2	3	67%
32	0	1	1	2	50%
33	10	12	0	12	0%
34	0	0	0	0	0%
35	1	1	0	1	0%
36	0	0	2	0	0%
37		115	13	128	10%
*38	19	50	8	58	14%
39	85	144	5	149	3%
*40	25	19	1	20	5%
41	1	6	6	12	50%
42		9	3	12	25%
43		0	0	0	0%
44	2	2	0	2	0%
45		4	2	6	33%

Source: Case Studies reporting complete data for 1989-90

Note: * Bands reporting estimates

Table A5.2: On-Reserve Students Enrolled in Kindergarten, Elementary and Secondary School, Academic Years 198-85 and 1989-90

Band Case Study Number	1984-85 ENROLMENT			1989-90 ENROLMENT											
	Kinder-garten	Elementary School	Secondary School	Kindergarten				Elementary School*				Secondary School*			
	Regular	Band Members	Only	Regular Band Members	Bill C-31 Regis-trants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Regis-trants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Regis-trants	Total	C-31 as a Percentage of Total
1	7	54	22	6	0	6	0%	62	1	63	2%	74	1	75	1%
2	3	20	6	0	0	0	0%	17	1	18	6%	5	15	20	75%
5	100	223	286	140	15	155	10%	345	7	352	2%	307	3	310	1%
6	16	65	46	22	1	23	4%	68	10	78	13%	39	8	47	17%
7				6	4	10	40%	58	19	77	25%	54	6	60	10%
10				3	0	3	0%	17	0	17	0%	5	0	5	0%
11	37	187	80	44	0	44	0%	142	0	142	0%	35	0	35	0%
12	20	108	25	15	1	16	6%	74	4	78	5%	42	7	49	14%
14	3	16	11	4	1	5	20%	16	6	22	27%	16	7	23	30%
15	13	95		13	0	13	0%	79	2	81	2%	28	0	28	0%
17				8	0	8	0%	45	3	48	6%	7	0	7	0%
18	0	0	0	0	0	0	0%	0	0	0	0%	0	0	0	0%
19				5	0	5	0%	35	1	36	3%	20	4	24	17%
21				4	0	4	0%	15	2	17	12%	9	0	9	0%
22				14	3	17	18%	111	0	111	0%	36	0	36	0%
**23								540	0	540	0%	40	0	40	0%
24				25	2	25	7%	37	4	41	10%	60	10	69	17%
25				46	2	48	4%	151	5	156	3%	69	2	71	3%
26				12	0	12	0%	66	3	69	4%	7	1	8	13%
27				22	3	25	12%	164	10	174	6%	9	3	12	25%
28	5	24	16	4	0	4	0%	30	1	31	3%	16	4	22	18%
29	16	64	27	25	3	28	11%	58	13	71	18%	42	10	52	19%
30				21	4	25	16%	137	5	142	4%	78	5	84	10%
32				1	0	1	0%	25	6	31	19%	6	3	9	33%
33	4	90	16	18	2	20	10%	51	4	55	7%	16	0	16	0%
34				14	0	14	0%	84	0	84	0%	12	0	12	0%
35	0	2	1	0	0	0	0%	2	0	2	0%	1	0	1	0%
36	10	45	0	15	0	15	0%	50	0	50	0%	0	0	0	0%
37	47	201	91	48	0	48	0%	176	0	176	0%	80	1	80	1%
***38				30	25	55	45%	321	0	321	0%	202	0	202	0%
40				5	0	5	0%	16	0	16	0%	6	0	6	0%
41	0	6	6	2	0	2	0%	6	7	13	54%	9	3	12	25%
42	20	100	58	17	0	17	0%	96	0	96	0%	56	1	57	2%
43				55	0	55	0%	327	0	327	0%	55	0	55	0%
44	6	35	12	7	0	7	0%	43	1	44	2%	13	0	13	0%

Source: Case Studies reporting complete data for 1989-90

Note: * Elementary school is generally grades 1-6; secondary chool grades 9-13

** Kindergarten included in figures for elementary school

*** "Bill C-31 Registrants - Kindergarten" includes Metis

Table A5.3: Band Members in Receipt of Social Assistance, 1968

Band Case Study Number	Seasonal			Continuous			Combined			C-31 as a Percentage of Total
	Regular Band Members	Bill C-31 Registrants	Sub Total	Regular Band Members	Bill C-31 Registrants	Sub Total	Regular Band Members	Bill C-31 Registrants	Total	
3	0	0	0	87	0	87	87	0	87	0%
*4	7	1	8	35	6	31	42	7	49	14%
5	0	0	0	1247	20	1267	1247	20	1267	2%
7	0	0	0	161	39	200	161	39	200	20%
9	0	0	0	41	13	54	41	13	54	24%
10	15	0	15	30	0	30	45	0	45	0%
12	36	5	41	75	6	75	111	5	116	4%
14	3	6	9	10	7	17	13	13	26	50%
15	23	1	24	43	0	43	66	1	67	1%
17	54	1	55	28	13	41	82	14	96	15%
18	0	0	0	1	0	1	1	0	1	0%
21	3	0	3	17	0	17	20	0	20	0%
22	20	1	21	93	0	93	113	1	114	1%
23	69	0	69	406	2	41	475	2	480	<1%
25	20	4	24	125	3	128	145	7	152	5%
28	50	1	51	19	0	19	99	1	100	1%
29	10	0	10	100	8	108	110	8	118	7%
32	3	1	4	1	3	4	4	4	8	50%
33	55	7	60	38	7	45	91	14	106	13%
35	0	0	0	1	0	1	1	0	1	0%
36	0	0	0	200	0	200	200	0	200	0%
37	20	0	20	110	0	110	130	0	130	0%
38	0	0	0	712	310	1022	712	310	1022	30%
41	2	11	13	5	4	7	5	15	20	75%
42	0	0	0	215	1	216	216	1	216	<1%
43	0	0	0	200	0	200	200	0	200	0%
**44	0	1	1	53	1	54	53	2	55	0%
45	15	1	19	22	2	24	40	3	43	7%
46	0	0	0	512	0	0	512	0	512	0%
47	51	16	67	10	3	13	61	19	80	24%

Source: Case Studies reporting complete data

Notes: * Figures include families and singles

** Band reported ranges for families

Table A5.4: Participation in Community Social Development Programs, 1984 and 1989

Band Case Study Number	Number of Programs	1984 Regular Band Member	1989 Regular Band Members	1989 Bill C-31 Registrants	1989 Total	C-31 as a Percentage of Total 1989
3	2		18	0	18	0%
4	5		79	9	88	10%
5	1	0	33	0	33	0%
6	1		20	7	27	26%
9	1		2	0	2	0%
14	1		2	3	5	60%
15	7	24	42	0	42	0%
17	1	0	5	0	5	0%
20	1		21	0	21	0%
23	1	53	71	0	71	0%
24	3		60	0	60	0%
27	1		15	5	20	25%
28	3		28	1	29	3%
29	1		4	1	5	20%
33	1		14	0	14	0%
35	3	6	6	0	6	0%
42	1	0	2	0	2	0%
45	1		3	0	3	0%

Source: Case Studies reporting complete data for 1989

SOCIAL PROGRAMS PROFILE

Table A5.5: Child and Family Care Services Clientele, 1984 to 1989

Band Case Study Number	1984	1985			1986			1987			1988			1989			C-31 as a Percentage of Total 1989
	Regular Band Members	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	
1								80	0	80	80	0	80	80	0	80	0%
3								119	0	119	61	0	61	95	0	95	0%
4								20	0	20	15	0	15	15	0	15	0%
5														485	15	500	3%
*9														7	3	10	30%
10														5	0	5	0%
12	90	80	0	80	80	0	80	65	0	65	75	0	75	60	0	60	0%
13								9	0	9	16	6	22	21	4	25	16%
14	5	5	2	6	7	2	9	8	2	10	8	3	11	9	3	12	25%
17								25	2	27	39	3	42	39	1	40	3%
18														0	0	0	0%
22	12	12	0	12	12	0	12	12	0	12	12	0	12	12	0	12	0%
26														3	1	4	25%
27														25	10	35	29%
34											5	0	5	36	1	36	3%
36					15	0	15	20	0	20	25	0	25	4	0	4	0%
37														25	0	25	0%
38														11	3	14	21%
40														5	0	5	0%
42														5	0	5	0%
43											3	0	3	6	0	6	0%
44	5													3	0	3	0%
46								20	0	20	20	0	20	9	0	9	0%
*48														20	0	20	0%

Source: Case Studies reporting complete data for 1989

Note: * reported by families

SOCIAL PROGRAMS PROFILE

Table A5.6: Senior Citizens Services Clientele, 1984 to 1989

Band Case Study Number	1984	1985			1986			1987			1988			1989			C-31 as a Percentage of Total 1989
	Regular Band Members	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	
*6					7	0	7	7	2	9	7	2	9	25	2	27	0%
7														15	1	16	0%
14	7	7	2	9	8	2	10	8	2	11	9	2	11	10	2	12	0%
17	5	5	0	5	5	0	5	5	0	6	6	0	6	4	0	4	0%
18														0	0	0	50%
19														10	0	10	0%
20														12	0	12	0%
22	30	30	0	30	30	0	30	30	0	30	30	0	30	30	0	30	10%
24														30	0	30	25%
25														18	0	18	0%
26														18	2	20	0%
*28														6	0	6	0%
29														8	0	8	25%
33	5	5	0	5	5	0	5	6	0	7	7	0	7	5	0	5	20%
37	60	60	0	60	65	0	65	70	0	75	75	0	75	80	0	80	0%
38														14	0	14	0%
39														10	0	10	0%
43											60	0	60	60	0	60	21%
45								30	0	30	30	0	30	30	0	30	0%
46														36	0	36	0%
																	0%
																	0%
																	0%
																	0%

Source: Case Studies reporting complete data

Note: * Bands reporting ranges

HEALTH SERVICES PROFILE

Table A5.7: Community Health Services Clientele 1984 to 1989

Band Case Study Number	1984	1985			1986			1987			1988			1989			C-31 as a Percentage of Total 1989
	Regular Band Members	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	Regular Band Members	Bill C-31 Registrants	Total	
*2		30	0	30	30	17	47	0	35	35	0	50	50	175	4	179	2%
3		7052	0	7052	7700	0	7700	8254	0	8254	8069	0	8069	8083	0	8083	0%
6														830	309	1148	27%
14	90	95	20	115	100	50	150	105	55	160	110	65	175	103	82	185	44%
17														578	17	595	3%
22	250	250	0	250	250	0	250	250	0	250	250	0	250	250	0	250	0%
24					850	150	1000	850	150	1000	850	150	1000	850	150	1000	15%
28								21	3	24	17	3	20	20	3	23	13%

Source: Case Studies reporting complete data

Note: * Band reporting range

EMPLOYMENT PROFILE

Table A5.8: Band On-Reserve Labour Force Employed and Unemployed, 1989

Band Case Study Number	On-reserve Labour Force				Currently Employed				Currently Unemployed			
	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of the Total	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of the Total	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of the Total
1	137	3	140	2%	46	1	47	2%	91	2	93	2%
*3	650	6	656	1%	175	5	180	3%	475	1	476	0%
4	427	12	440	3%	170	2	172	1%	257	10	277	4%
*5	212	13	225	6%	42	0	42	0%	170	13	183	7%
10	28	0	28	0%	7	0	71	0%	21	0	21	0%
12	291	10	301	3%	120	1	21	1%	171	9	180	5%
14	72	26	98	27%	56	9	45	20%	32	11	43	26%
15	163	1	164	1%	66	0	66	0%	97	1	98	1%
17	95	9	102	9%	46	4	52	8%	45	5	50	10%
18	1	0	1	0%	1	0	1	0%	0	0	0	0%
**19	110	45	155	29%	45	23	68	34%	66	22	91	25%
21	26	0	26	0%	14	0	14	0%	12	0	12	0%
22	80	1	81	1%	25	0	25	0%	55	1	56	2%
26	125	10	135	7%	90	7	97	75	35	3	38	8%
27	440	10	450	2%	45	5	50	10%	395	5	400	1%
28	7	2	79	3%	31	2	33	65	46	0	46	0%
*29	37	0	37	0%	15	0	15	0%	22	0	22	0%
32	30	20	50	40%	6	6	12	50%	24	14	38	37%
33	296	4	300	1%	48	2	50	4%	237	3	240	1%
35	14	0	14	0%	12	0	12	0%	2	0	2	0%
36	90	0	90	0%	10	0	10	0%	80	0	80	0%
37	543	0	543	0%	280	0	280	0%	303	0	303	0%
**38	600	0	600	0%	300	0	300	0%	300	0	300	0%
41	37	18	55	33%	19	9	28	32%	18	9	27	33%
42	350	2	352	1%	35	1	36	3%	315	1	316	0%
*43	600	0	600	0%	67	0	67	0%	553	0	553	0%
*44	70	1	71	1%	21	1	22	5%	49	0	49	0%
*46	300	0	300	0%	27	0	27	0%	253	0	253	0%
*48	50	0	50	0%	10	0	10	0%	40	0	40	0%

Source: Case studies reporting complete data

Notes: * Bands reporting estimates

** Bands reporting ranges

Band #12: "Currently Unemployed Regular Band Members" includes students

Band #43: "Currently Unemployed Regular Band Members" comprises 47 full-time and 20 seasonal

EMPLOYMENT PROFILE

Table A5.9: On-Reserve Labour Force Education levels, 1989

Band Case Study Number	HIGHEST LEVEL OF EDUCATION ACHIEVED																
	No Formal Education				Some Primary Education Grades 1-8				Some Secondary Education Grades 9-13				Some Post-Secondary Education				Total in On-Reserve Labour Force		
	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Registrants	Total	C-31 as a Percentage of Total	Regular Band Members	Bill C-31 Registrants	Total
*3	200	0	200	0%	150	2	152	1%	200	2	202	1%	100	1	101	1%	650	5	655
13	0	0	0	0%	231	0	231	0%	50	10	60	17%	10	0	10	0%	291	1	292
14	0	0	0	0%	10	5	15	33%	45	21	66	32%	17	1	18	6%	72	28	66
16	20	0	20	0%	59	1	60	2%	63	0	63	0%	12	0	12	0%	163	1	164
17	0	0	0	0%	61	6	67	9%	17	2	19	11%	15	1	16	6%	93	9	102
28	0	0	0	0%	5	5	10	50%	20	10	30	33%	5	5	10	50%	30	20	50
35	0	0	0	0%	2	0	2	0%	7	0	7	0%	5	0	5	0%	14	0	14
39	30	0	30	0%	60	0	60	0%	0	0	0	0%	0	0	0	0%	90	0	90
41	0	0	0	0%	3	0	3	0%	24	16	40	40%	9	2	11	18%	37	18	55
42	17	0	17	0%	176	0	176	0%	141	0	141	0%	17	0	17	0%	351	0	351
*43	180	0	180	0%	360	0	360	0%	60	0	60	0%	1	0	1	0%	600	0	600
*46	60	0	60	0%	225	0	225	0%	15	0	15	0%	3	0	3	0%	300	0	300

Source: Case Studies reporting complete data

Note: * Bands reporting estimates